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HAZARD'S

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**UNITED STATES**  
**COMMERCIAL AND STATISTICAL**  
**REGISTER,**

CONTAINING

DOCUMENTS, FACTS, AND OTHER USEFUL INFORMATION,

ILLUSTRATIVE OF THE

**HISTORY AND RESOURCES**

OF

**THE AMERICAN UNION, AND OF EACH STATE:**

EMBRACING

COMMERCE—MANUFACTURES—AGRICULTURE—INTERNAL IMPROVEMENTS—  
BANKS—CURRENCY—FINANCES—EDUCATION, &c. &c.

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**EDITED BY SAMUEL HAZARD.**

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No. 1.

## Public Schools of Pennsylvania.

Extract from an Address delivered at the Zane Street Public School House, on Wednesday, March 31st, 1841, by JAMES J. BAUCLAY, President of the Board of Directors of the Public Schools, for the First Section of the First School District of Pennsylvania.

*Past history, present condition, and future prospects of education within the State of Pennsylvania.*

The illustrious founder of Pennsylvania, deeply solicitous to advance the happiness of his race, exerted himself at an early period of his government to provide for the instruction of the young. Scarcely had the infant colony begun to exist when a public school was commenced, and a few years after chartered by Lieutenant Governor Markham and the Council; and on the five and twentieth day of the eighth month, Anno Domini 1701,\* a new act of incorporation was granted to it by William Penn, under the title of "The Overseers of the Public School founded in Philadelphia at the request, costs and charges of the people of God, called Quakers." This Charter recites that a petition had been presented by Samuel Carpenter and others, on the 10th day of the 12th month, 1697, '98 to the Governor and Council, "setting forth that it was the desire of many that a school should be set up and upheld in the said town of Philadelphia, where poor children might be freely *maintained*, taught and educated in good literature until they should be fit to be put apprentices, or capable to be masters or ushers in the said schools;" and requesting the Governor and Council, to ordain, "that at the said town of Philadelphia, a public school might be founded, where all children and servants, male and female, whose parents, guardians or masters might be willing to subject them to the rules and orders of the School, should from time to time, with the approbation of the overseers thereof, for the time being, be received or admitted, taught and instructed; the rich at reasonable rates, and the poor to be maintained and schooled for nothing."—On the 20th of July, 1708,† additional powers were granted; and on the 29th of November, 1711,‡ the charter was again modified and the title changed to that of "the Overseers of the Public Schools founded by charter in the town and county of Philadelphia, in Pennsylvania.§

The Preamble declares that "the prosperity and welfare of any people, depend, in a great measure, upon the good education of youth and their early instruction in the principles of true religion and virtue, and in qualifying them to serve their country and themselves by breeding them in reading, writing, learning of languages, and useful arts and sciences suitable to their age, sex and degree; which cannot be effected in any manner so well as by erecting public schools for the purposes aforesaid." It thus appears that it was the design of the wise and virtuous Penn, and his as-

sociates, that all the pupils should be taught on the same footing, and that their education should embrace the study of the languages, arts and sciences. Under the judicious management of the overseers the schools became flourishing—legacies were left to enlarge them; all the bequests, with the exception of one, of one hundred pounds, were, I believe, from members of the society of Friends. The benefits of the schools have been enjoyed principally by those who did not belong to the society. The average number of pupils educated on the foundation, has been for several years past about one hundred and twenty-five; of which, the children of Friends have formed about a tenth part. These schools continue in a prosperous state and confer great benefits on the community.

The next Public School was founded in 1753, under the title of the "Academy and Charitable School in the province of Pennsylvania." In 1755, the charter was extended and the title changed to "the Trustees of the College Academy and Charitable School of the City of Philadelphia in the province of Pennsylvania;" and in 1789, this institution became permanently united with the University of Pennsylvania.

From the first establishment of the Academy until 1823, two charity schools, the one for boys, the other for girls, had been kept open by the Trustees. In 1823, the Trustees were enabled to open another school for boys, in consequence of an appropriation made by the executors of Mr. John Keble, of a portion of his estate for that purpose. On the first of the present year, these three schools contained above one hundred and fifty scholars.

With the exception of the schools above mentioned, little was done until the period of the revolution. During that memorable struggle, when the people were contending for their very existence, this cause, so dear to them, was not forgotten. The patriots and sages of 1776, who framed our first Constitution, provided by the 4th section of the 2d chapter of that instrument, that "a school or schools shall be established in each county, by the Legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct youth at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities."

The Constitution of the 2d of September, 1790, declares, (Article 7, Section 1st.) that "the Legislature shall as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such manner that the poor may be taught gratis;" and, (Section 2d,) that "the arts and sciences shall be promoted in one or more seminaries of learning." The same provisions are contained in the Constitution of the 22d of February, 1838.

Between 1784 and the present time, the Legislature has endowed many seminaries of learning; but they are, with perhaps one or two exceptions, connected with some religious denomination; or payment is required for the tuition of the pupils. In 1786, the Legislature set apart sixty thousand acres of land, for the sole purpose of endowing public schools in the different counties of the State.

In 1796, an association of Ladies of the society of Friends was formed for the purpose of educating girls without charge. It owed its origin chiefly to the exertions of Miss Ann Parrish and Miss Catharine W. Morris. The pupils were at first instructed by the members of the association: subsequently regular teachers were employed, and a neat two

\* Inrolled in the Rolls' office, in Patent book A, volume 2d, page 202, &c.

† Inrolled in the Rolls' office, in Patent book A, volume 4th, page 185, &c.

‡ Inrolled in the Rolls' office, in Patent book A, volume 4th, page 280, &c.

§ The motto, which was chosen by Penn, is "Good Instruction is better than Riches."

story brick building erected on the north side of Cherry near Tenth streets. About seventy pupils are now receiving instruction, under the charge of two teachers, in the ordinary branches of an English education and in sewing.

The good example set by these benevolent ladies, was followed by the other sex; and in 1799, a school for boys was undertaken by a few active and disinterested young men; among whom were William Nekervis, Philip Garrett and Joseph Briggs. A night school was first opened, and instruction given by the members. In the following year the society was enlarged, and in 1801 re-modelled under the title of "The Philadelphia Society for the Establishment and Support of Charity Schools."

The members of the society rapidly increased, and an act of incorporation became necessary. It was hastened in consequence of the death of the benevolent Christopher Ludwick, formerly superintendent of bakers and director of baking in the Revolutionary Army.\* He left the residue and remainder of his estate, which he estimated at three thousand pounds, to an institution and free school, to be established in the City or Liberties of Philadelphia, for the schooling gratis of poor children of all denominations, in the City and Liberties of Philadelphia, without any exception to the country, extraction, or religious principles, of their parents or friends. It was a matter of great importance to the society to obtain this legacy. They had strong competitors in the Trustees of the University of Pennsylvania, who were equally desirous to procure it. That party which should first obtain a charter would succeed. Every effort was made by both. Charters were prepared and submitted to the Attorney General, and to the Judges of the Supreme Courts, and were duly examined and approved. The Judges, having had an intimation of the state of the case, were particular in delivering the charters to the respective parties at the same time. They proceeded to and met at the mansion of Governor McKean, at the corner of Third and Pine streets. He, also aware of these facts, having given his approval, delivered to each party his charter at the same moment. So far neither had any advantage; but another step was requisite—the enrollment of the charters; and the Rolls office was at Lancaster. The day was hot; (it was July;) the roads dusty; the journey long. Noon was approaching. The Trustees had provided an express. The interests of the society were confided to Joseph Bennett Eves, Esquire, one of its most zealous members. He set off himself in a sulky—passed the express rider—reached Lancaster between 7 and 8 o'clock in the evening, and had the charter inrolled without delay. The society received about thirteen thousand dollars from Mr. Ludwick's estate; other legacies have since been received. The Board of Managers, in their last report, January, 1841, speak in high terms of the present condition of the schools under their care; (one for boys and one for girls;) and state, that since their establishment, upwards of 12,500 pupils have been educated in them.

Another Society was established in September, 1807, at the instance of Thomas Scattergood and some other benevolent individuals, under the title of "The Philadelphia Association of Friends for the instruction of poor children."

The first school was opened for white boys at the corner of Moravian and Watkin's alley. In 1809, it was removed to a new building erected by the Association in Pegg street, and was continued there for about nine years, under the name of the Adelphi School. It was conducted on the Lancasterian plan, and was generally known as the Sand School, from the circumstance of the pupils being first taught to write in sand. In 1812, a girls school was opened in the same building.—On the 29th of July, 1818, the schools were suspended, and the school house rented to the Directors of the Public Schools. From the opening of the school in Moravian alley to 1818, about 2700 pupils had enjoyed the advantages of the institution.

In 1825 the association opened a school for colored children in Cherry street, and in 1832 removed it to a building

they had erected for that purpose, situate in Wager street; where they have an infant and girls school.

On the 4th of April, 1809, the Legislature passed an Act to provide for the education of the poor, gratis. The Assessors were required to return to the County Commissioners the names of those children whose parents were unable to pay for their education. After the list had been examined, and the selection made by the County Commissioners, notice was to be given by the Assessors to the parents of the pupils, and to the Teachers within the Township, Ward, or District. The Teachers were required to admit and teach all such children as other children were taught, and charge the county with the amount. This law was defective in its provisions and oppressive in its operation, and did not accomplish the object designed.

On the 31st of March, 1812, a supplement was passed, by which the County Commissioners were required to fix upon the Teachers and price of tuition, and furnish the pupils with books and stationery. The County Commissioners were authorized, if they thought the public good, or the education of the pupils, would be promoted, to establish public schools in such manner, and under such regulations as the Select and Common Councils of the City of Philadelphia, and the respective Boards of Commissioners of the Township of the Northern Liberties and District of Southwark should approve. The provisions of this act were confined to the City of Philadelphia, the District of Southwark, and Townships of the Northern Liberties, Penn, Moyamensing and Passyunk. Neither did this Act produce the desired effect; it also was partial in its operation, and expensive; neither was there any proper supervision of the pupils, nor check upon the Teachers.

We are now, however, approaching a period which gave a new direction to the management of public education.

In the Winter of 1816-17, distress to a considerable extent, prevailed among the poorer classes of our city and the adjoining districts. A meeting was held at the counting-house of the late venerable philanthropic Robert Ralston, to devise means for their relief. Measures were promptly and successfully adopted for this purpose. It became apparent to those engaged in this laudable undertaking that something further should be done—and the Society for the promotion of Public Economy was established.

Various committees of the society were appointed; one of them on public schools. Of this committee, the late lamented Roberts Vaux was Chairman, Jonah Thompson was Secretary, and William Fry, John Claxton and Thomas F. Leaming were active members. In October, 1817, the Committee made a report, accompanied by the draft of a bill.

On the third of March, 1818, the act to provide for the education of children at public expense, within the City and County of Philadelphia, was passed. This act is justly considered the basis of the present system of public education. It erected, as you are aware, the City and County of Philadelphia into a school district, and subdivided it into sections; established a Board of Control for the general regulation of the district, and of Directors of the different sections, for the more immediate supervision of the schools in their respective sections. The act directed that the schools should be on the Lancasterian system.

On the 6th of April, 1818, the Board of Control was organized. Two schools were opened in Southwark, two in Moyamensing, two in the Northern Liberties, one in Penn Township, and a model school, under the charge of Joseph Lancaster, in the City. The first report of the Board bears date the 11th of February, 1819; at which time upwards of two thousand eight hundred children were enjoying the benefits of instruction in these schools.

The annual expense of each pupil under the Act of 1812, averaged about eleven dollars; under the new system it was reduced to seven dollars and forty three cents.

At the close of the year 1828, there were twenty schools on the Lancasterian plan in the first district, and the number of pupils had increased to 4297; which, with 760 taught in the country parts of the district, made the whole number 5057.

The cause was now steadily gaining ground. The suc-

\* He died on the 17th of June, 1801, at the advanced age of eighty.

cess which had already crowned the exertions of its friends, animated them to renewed efforts. A society was formed for its advancement. The Governors called the attention of the Legislature to it; and Committees of both houses of the General Assembly made reports in favor of extending its advantages to the whole Commonwealth.

On the 2d of April, 1831, an Act was passed for the establishment of a general system of education; a common school fund was provided, and the Secretary of the Commonwealth, the Auditor General, and the Secretary of the Land office, appointed Commissioners, for the management of it.

On the 19th day of Dec., 1831, Roberts Vaux, who had presided over the Board of Control since its organization, resigned his situation. The Board, justly appreciating his valuable services, and generous devotion in advancing the system of public instruction, addressed him a communication, from which the following is an extract. "A long course of faithful, judicious, and unremitting attention to the interests of the public school system of this district, prompted by the purest motives, and sustained by unwearied zeal, entitles you to the respectful gratitude of the community for which you have successfully labored; while a frank and dignified intercourse, and an independent discharge of your duties in this Board have conciliated and secured the esteem and attachment of your colleagues." Thomas Dunlap succeeded Mr. Vaux, and brought with him the same ardent zeal that animated his predecessor.

The Directors and Controllers became satisfied that some improvements could be advantageously introduced with respect to the instruction of young children. The infant school society had existed several years. It was instituted in 1827 by those who are always ready to promote whatever is calculated to alleviate the sufferings, or increase the happiness of their fellow creatures. They who founded, still sustain the society, with all that unobtrusive and persevering energy which distinguishes the female character.

With unwearied diligence, unexhausted patience, and undiminished ardor they have toiled and struggled to support the schools under their care. Their exertions are, no doubt, well known to you, and show how much benefit may be conferred with very scanty means.

In the year 1832 a model infant school was established, and during the year 1834, four others two in the city and two in the county. The benefit of these schools was so manifest, that it became a matter of serious consideration whether it would not be advisable to establish a number of primary, in which children should be prepared for the higher schools.

On the first of April, 1834, an act was passed to establish a general system of education by common schools. The Secretary of the Commonwealth was appointed Superintendent of them. This act was found to be defective in many particulars; and on the 13th of June, 1836, a supplement was passed, which is now in operation. By this supplement the benefits of the public schools were extended to *all* children over 4 years of age; the Lancasterian system was not rendered obligatory and the Board of Control were authorized to establish a Central High School.

During the years 1836 and 1837, many and important changes took place. The monitorial system was dispensed with, and assistant teachers employed. After mature consideration, it was determined to open thirty primary schools and in the following year, the number was increased to sixty. These schools were placed under the direction of female teachers. In all the girls' schools throughout the district, the Principals and Assistants were females. It was now proposed that the Assistants in the boys' schools might also be females. The proposition, after some hesitation, was agreed to; and all the Assistants in the boys' schools, in the city, and in most of those of the county, now are females. The result has been most satisfactory; and while the public good has been promoted, honorable employment has been afforded to those whose sphere of usefulness has been too circumscribed. The gentleness of the female character could not fail to produce a salutary influence on the manners of the pupils; and they are stimulated to exertion by the example, and encouraged by the precepts of their instructors.

The establishment of a Seminary, in which the most distinguished pupils should have an opportunity of obtaining instruction in the highest branches of education, was a desideratum. Without it the system did not appear to be complete. Such an institution, as we have already seen, seems to have been contemplated soon after the settlement of the colony.

The distribution of the public funds, it was supposed, would afford the means of accomplishing this design, without increasing the public burdens. The controllers, therefore, determined on the foundation of a High School. It was commenced in September, 1837, and opened in 1838, under able Professors. The pupils were selected from the public schools; and in admissions, merit was the only passport.—There are three courses, viz:

THE FIRST, or *English Course*, limited in duration to two years, includes the following branches:—English Grammar, Reading, Speaking and Composition, Geography, History, Moral Instruction, Arithmetic, Elementary Algebra and Geometry, the Elements of Natural Philosophy and Natural History, Writing and Drawing. *This course is recommended for pupils whose services will perhaps be required by their parents in about two years after entering the High School. It is complete in itself, as far as the time which the pupil can devote to his education, permits, and is, therefore, much to be preferred to taking merely a part of the other courses.*

THE SECOND, or *Principal Course*, will comprehend English Grammar, the Elements of Rhetoric and Belles Lettres, Reading, Speaking and Composition, Geography and History, the French Language, Lower and Higher Mathematics, the Elements of Natural Philosophy and Chemistry, Natural History and its kindred subjects, the Principles of Moral, Mental, and Political Science, Writing and Drawing. Instruction in Spanish may be added, if desired, but will not be included in the regular course. As the instruction in some of these branches, will only begin in the latter years of the pupil's stay at the High School, it is earnestly recommended, that unless it is probable that he will remain during the whole four years at the school, this course be not selected by the parent. *This Principal Course is intended as a preparation of the pupil for pursuits connected with trade, or commerce, manufactures, or the mechanic arts; and as a general introduction to the special studies which may be required for the particular pursuit of the individual.*

THE THIRD, or *Classical Course*, to occupy four years, and embracing instruction in Latin and Greek, with a considerable portion of the English and Scientific studies enumerated in the principal department. *It is recommended to those parents who wish their sons to enter College, after passing through the High School, or who prefer this kind of intellectual training for their children.*

At the close of the year 1839, the Controllers had the good fortune to procure the services of the distinguished gentleman who now presides over the school. Our limits forbid us entering into further details, and we refer to Dr. Bache's interesting reports.

The distresses of the country, and the exhausted condition of the national treasury, deprived the Board of those resources which, it was expected, would fully sustain the school. It therefore became absolutely necessary that others should be provided, or that the school should be closed.—The former course was adopted. If there be any of our fellow citizens who do not approve of that course, we ask them to visit the school and contemplate that bright band of youths, who, with generous ardor are pressing forward in a career, calculated, we hope, not only to lead them to distinction, but to shed glory upon our common country.—We venture to assert that the cost of tuition in this school, is lower than any other in the United States, where the same branches are taught; and without it, the great majority of the pupils would have had no opportunity of obtaining such an education as they are now receiving.

We have thus far endeavored to give a slight sketch of the progress of education in our county; and will take a rapid glance of its progress in the State.



The Act of Assembly, establishing a general plan of education, divided the State into Districts; and appropriated \$100,000 in addition to the \$100,000 received from the Bank of the United States. The amount was to be distributed annually among the Districts, in proportion to the taxable inhabitants.

On the 2d day of March, 1835, the Superintendent submitted his first report. The report is brief; for the time since the law went into operation was too short to allow him to receive much information. On the 5th of December, 1835, the second report was made; and on the 20th of February, 1836, a supplemental report.

The number of School Districts was.....	907
Do Accepting Districts,.....	536
“ Non-accepting,.....	371
The number of children taught under the present system,.....	32,544
Amount paid to teachers,.....	\$40,952 50
Average expense per quarter,.....	\$1 12½
Number of children taught under the old pauper system,.....	23,000
Cost for one year's tuition,.....	\$111,720 80
The expense of tuition was therefore somewhat diminished.	
On the first Monday of June, 1840, the number of school districts was.....	1,050
Accepting districts,.....	887
Houses,.....	5,494
Schools,.....	5,649
Scholars, Males,.....	141,124
Do Females,.....	113,784
Total ————	254,908
Average in each school,.....	41½
Average cost of each scholar per quarter,.....	\$1 36½

\* According to the school census for the year 1839-40, the whole number of children in the State of Massachusetts, between 4 and 16 years of age, was..... 179,268

The average attendance during the summer of that year, was..... 92,698

Do the winter, do... 111,844

Under 4 years of age,..... 7,844

Over 16 do ..... 11,834

Total, ———— 19,679

Deduct those over 16, and under 4 years of age, and the average attendance in winter, will be.. 100,000

Do summer, “.... 84,854

Estimated number of children who receive their education in private schools and academies,.... 12,000

Number of children who attend the schools, compared with the number who are dependent on them for education, in winter, ten seventenths; in summer, a small fraction over one half.

Amount received by taxes, for teachers' salaries and fuel,.....\$477,221 24

In New York, there were, as estimated, on the first of June, 1810, 10,769 school districts.

Number of children instructed in the Common Schools in 1839, 572,995.

Average term during which the schools were kept open, (in 1839,) was 8 months.

In all the cities, the schools were kept open during the whole year, with occasional vacations, not exceeding a month in the whole.

Number of children between 5 and 16 years of age in the city of New York,..... 62,952

Number attending public schools,..... 23,528

do Grammar and select schools,..... 7,230

Total, ———— 30,758

Number that did not attend any school,..... 32,194

Average cost of each pupil in the city of New York, rather less than \$5 per annum.

In other parts of the State, about..... \$3 35

School Fund.—Capital,.....\$5,617,141 29

Revenue received from school fund,..... 268,400 65

Average cost per annum of each pupil in the Public Schools, for 1839-40,

Number of teachers, Male,.....	4,488
Do do Female,.....	2,050
	6,538
Appropriations are made from the State Treasury to	
1 University, { Number of pupils in }	1,639
7 Colleges, { University & Colleges }	
57 Academies,.....	2,463
33 Female Seminaries,.....	1,430

While we observe with pleasure the rapid increase of scholars, we cannot but regret that the schools are not kept open during the whole year; that the building and furniture are not more suitable; and that more efficient teachers are not employed.

It is the most miserable economy to commit the instruction of the young to incompetent persons; and thus recklessly allow the waste of that which

“Is of more worth than kingdoms; far more precious Than all the crimson treasures of life's fountain.”

When we consider the paltry compensation which is granted to the teachers of our country schools, what can we expect? During the past year the average salaries of the Male teachers was.....\$19 29½ per month. Female do ..... 12 03 do

These evils will no doubt be speedily remedied. The example and the success of Philadelphia, cannot fail to produce a salutary effect in the country. The oft repeated suggestions of the different Superintendents of the schools will be adopted. A school for teachers will be established, which will send forth well trained and capable instructors. Possessing the learning and ability requisite for their high calling, they will command the confidence of the public, and receive a reasonable compensation for their services.

Venerating learning, they will impress on the minds of those committed to their charge, the importance of acquiring it. Ardent votaries themselves, they will infuse a corresponding zeal into the bosoms of their young disciples. Exerting every energy to discharge, with fidelity and success, the important duties confided to them, they will justly entitle themselves to the thanks of the community. Such teachers are wanted, and such must be had.

Let us now pause for a moment, and examine the present condition of public education in our District. Many difficulties attended its introduction; but they were met with firmness and gradually surmounted. The privilege of sending a child to a public school, was at first viewed with indifference; it is now embraced with eagerness. In the commencement, the public schools were inferior to the private; now they are unsurpassed by any, and are justly appreciated. The system has been modified; Monitors have been dispensed with, and succeeded by competent Assistants. The character of the schools has been elevated. A moral influence is exerted over the scholars, which has rendered resort to corporal punishment almost unnecessary.— Instead of confined apartments and inconvenient furniture, you have commodious buildings with all proper accommodations. At the very commencement of the present system in Philadelphia, great care was taken in the selection of sites, and in the construction of the school houses. Such improvements have been from time to time adopted, as experience has pointed out.

Libraries of well selected books have been provided for the scholars.

A well chosen philosophical apparatus affords the teachers a delightful medium of imparting instruction.

In the choice of school books no pains have been spared to procure the very best.

The scholars, with few exceptions, really love their school, and value the high privileges they enjoy. How cheering to behold their animated countenances, radiant with hope, and beaming with intelligence; and to reflect that the lessons they are receiving, are calculated to make them industrious enterprising, and useful citizens.

These schools are founded on true republican principles. There is no party jealousy, no sectarian feeling; all meet on

In Hartford,.....	\$7 75
In Providence,.....	5 50

the same footing. The children of the wealthiest and humblest citizens, seated side by side, have the same rights and, enjoy the same privileges. While the schools have been so greatly improved, the price of tuition has not been much increased; the average cost of the tuition of the scholars in the Primary, Infant, and Grammar schools, taken together, being about five dollars each per annum. The whole number of pupils now in the public schools in the first district, including those about to be admitted into this building, will exceed 24,000. As the schools have advanced in public favor in Philadelphia, so have the standing and influence of the teachers. This is as it should be; holding so responsible and arduous an office, they are justly entitled to great consideration, and a liberal return for their services.

We do not pretend to say that the system is yet perfect; but we may venture to assert that the present Directors and Controllors possess as much zeal and singleness of purpose as their predecessors. Some of those who took an early and active part in the advancement of the cause, still remain to aid us. Two, however, have recently retired—Mr. Thomas Dunlap and Mr. George M. Justice. Of the former I have already spoken. To Mr. Justice the public are largely indebted for his valuable services.

If we compare the past with the present, we have abundant reason to be thankful that so much has been achieved. In the beginning of 1819, there were ten schools, with two thousand eight hundred and forty-five pupils. The branches taught were reading, writing and arithmetic. In the beginning of 1841, there are fifty-six primary schools, six infant, thirty-seven grammar, and one high school. In the grammar schools, in addition to reading, writing and arithmetic, grammar, geography, and history are taught, in several, algebra, and in some, natural philosophy. The instruction now given, is not only much more extended, but far more perfect. We have good reason to believe that our schools would bear a favorable comparison with those of Europe, or other sections of our own country. Our high school has undoubtedly produced a very advantageous influence on the grammar schools, in stimulating both teachers and pupils to exertion. The success of the pupil is alike creditable to the scholar and the teacher. To gain admission into the high school is worthy of every exertion. The desire to obtain the prize, produces unwearied application, and generous emulation in the pupils.

The consciousness of having faithfully discharged the high trust reposed in them, and the success which has attended their labors, amply repay the Directors and Controllors for all their cares and toils.

#### Review of the Weather, etc., for May, 1841.

It will, perhaps, long be remembered by the present generation, that in the year 1841, there was, comparatively, no spring. Winter commenced on the 15th of November, and continued until the 15th of May, when Summer ushered in upon us all at once. Although it was a six month's winter, yet it was not a very cold one. In no instance did the mercury sink as low as zero in this vicinity. We had many snows, but none very deep. There were three snows in November; eleven in December; four in January; seven in February; nine in March; four in April, and one in May—total, thirty-nine. The number of rainy, cloudy, and clear days, we published in the United States Gazette of May 3. Our latitude has fared much better than the more northerly and easterly ones, as may be seen by the following:

An Albany paper of May 4, says: "Winter is upon us in all its power. It commenced snowing on the 2d, and continued until yesterday noon. We hear that it fell to the depth of eighteen inches in Rensselaer and Grafton counties." A Boston paper of May 3, says: We had a brisk snow storm, which commenced about midnight, and continued until noon to day. This is truly winter lingering in the lap of May; at least, Miss May had a lap full of Winter." The newspapers of Connecticut, Rhode Island, New Hampshire, Vermont and Maine, gave similar accounts. The Bangor (Maine) paper of May 1, says: "The snow in our woods is now two feet deep. For five months, the only chance we have had of

seeing the ground, is by going into the cellar with a light. These items will answer as references hereafter."

There was frost in this city on the mornings of the 3d, 4th and 5th, and some rain fell on the 1st, 2d, 5th, 6th, 7th, 8th, 10th, 12th, 13th and 14th, when there followed fifteen warm and splendid Summer days, with mercury ranging from 66 to 86. It will be recollected that 76 is Summer heat, and all above is extra heat. On the 25th there was a thunder shower. On the 26th, 27th and 28th, there were several warm showers. 30th and 31st, the wind was easterly, and the atmosphere cool. Never, perhaps, did vegetation advance more rapidly than it did from the 15th to the close of the month.

The Germantown (Pa.) newspaper of last week, says: "The country never looked more charmingly than now. The late rains having given place to mild, balmy weather; vegetation has put forth all its energies to make up for the cold, unpropitious weather, which so long lingered in the lap of Spring, and retarded its progress." Other papers from the country speak a similar language.

The average temperature of the whole month was 58, viz: at sunrise, 51; at 2 o'clock, 68; and at 10 P. M., 56. The average of the corresponding month of last year was 61.

The quantity of rain which fell during the month, was  $5\frac{3}{4}$  inches. That which fell in May, 1840, was  $2\frac{3}{4}$  inches. Since the first of January, there has fallen 25 inches in this city, which is an unusual quantity; and if we may judge from former years, we have reason to believe, that we shall have much dry and hot weather during the Summer and Autumn.

*Atlantic Steamers.*—The President sailed from New York, on the 11th of March, (more than three and a half months ago) and not one word of intelligence, in which implicit confidence can be placed, has been heard from her since, is a melancholy and distressing fact. There seems now to be but one opinion, which is, that some awful calamity has befallen her, and that every person who was on board, (109 in number) have perished! Not one spared to tell the woful tale! A London paper of May 3d, says, "that this noble ship has foundered, there can scarcely be a doubt. She was the largest steamer ever built, being 2360 tons, and 540 horse power. Among the passengers and officers, there were some of exalted worth. We have no doubt it will gratify the public to have a list of the passengers, which are as follows:

Rev. George G. Cookman, Edward Barry, J. C. Roberts, J. Leo Wolf, J. C. Pfeffer, A. R. Warburg, Samuel Mails, A. Livingston, Mr. Thorndill, Mr. Mohring, D. F. Lenox, M. Courtney, T. Powers and servant, C. H. D. Miesegaes, Charles Cadett, T. Palmer, Dr. Lerner, T. Blancher, J. Fraser, H. Van Lohe, Jr., A. S. Byrne, W. W. Martin, P. Doucher, B. Morris and child, B. B. Howell and friend.—This friend was Mrs. Howell, who was married one hour previous to the sailing of the President. 28 passengers, and 81 officers and crew.

The Great Western sailed from New York on the 1st of May, for Bristol, (Eng.) with ninety-three passengers.

The Columbia sailed from Boston on the 1st of May, for Liverpool via Halifax, with fifty-eight passengers.

The Britannia arrived at Boston on the 6th of May, in fifteen days from Liverpool via Halifax, with eighty-seven passengers; and left again on her return voyage, on the 16th, with eighty-three passengers.

The Caledonia arrived at Boston on the 19th of May, in fourteen days and a half from Liverpool via Halifax, with forty-three passengers; and left again on her return voyage, on the 1st of June, instant.

Philadelphia, June 1, 1841.

C. P.

[United States Gazette.

#### Mortality among the Shipping.

In May, 1812, there were 29 ships, 1 barque, 28 brigs, 11 schooners, and 26 sloops, making 95 vessels of all classes, belonging to Providence, R. I. Amount of tonnage, 14,114. Of the above number, the brig Gov. Hopkins, which cleared at Bristol, 17th inst. for Atlantic Ocean, on a whaling voyage, is stated in the Providence Journal to be the only one afloat.

**Official.**

DEPARTMENT OF WAR, }  
June 26, 1841. }

The Secretary of War, in the discharge of a painful duty, announces to the army the death of Major General Alexander Macomb, their late General in chief.

It were but a small tribute to his memory to say that in youth and manhood he served his country in the profession in which he died, during a period of more than forty years, without a stain or blemish upon his escutcheon. The spotless purity of his life was not less conspicuous than his patriotism and devotion to the service. Though bred a soldier, and always an advocate of a proper degree of rigor in maintaining the discipline of the army, his heart was still open to all the benevolent sensibilities of our nature; nor were his success and good fortune below his personal deserts. Entering the army in his youth as a cornet, he passed honorably through every grade of command to the highest attainable in his profession. In the progress of his long career, besides the various occasions of ordinary occurrence which called forth the exercise of his active talents as an officer, the late war with Great Britain afforded him an opportunity of signalizing his skill and gallantry in a more eminent degree; and he availed himself of it in a manner which entitles him to be enrolled high in the list of that distinguished and heroic band of commanders, by land and sea, who have achieved so much for the honor and glory of their country.

A grateful people, speaking through their constituted authorities, were prompt to acknowledge their lively sense of the value and importance of his services, while living; nor will they fail to manifest correspondent feelings of sorrow and regret upon the occasion of his death. The army will cherish his memory for the many excellent traits of his character as a man, while the example of his military fortune will encourage them to emulate his active perseverance, devotion and gallantry as an officer.

As an appropriate testimony of respect and honor for the memory of their late General-in-Chief, the officers of the army will wear the usual badge of mourning for six months, on the left arm and hilt of the sword. Guns will be fired at each military post, at intervals of thirty minutes from sunrise until sunset on the day succeeding the receipt of this order, during which time the national flag will be suspended at half-staff.

JOHN BELL.

**Funeral of General Macomb.**

The funeral of Major General Macomb took place at Washington on Monday. The body of the illustrious deceased was escorted to the tomb by two battalions of foot soldiers, a squadron of horse and a troop of artillery under the command of General Jesup. Several volunteer companies also appeared in the procession. The military escort was followed by the clergy of the district and surgeon general of the army, and then came the coffin, with Colonels Cross, Abert, Bomford, Totten and Henderson, Gen. Gibson and Wool, Commodores Wadsworth and Warrington, Hon. W. C. Dawson, of the House, and Hon. W. C. Preston, of the Senate, as pall bearers. A long line of carriages, in one of which was the President, the others being filled with civil dignitaries, members of Congress, foreign ambassadors, officers of the army and navy, &c. closed the procession.

The body was deposited in the Congressional burying ground, with the solemn services of the Episcopal church, after which the military fired the usual death volleys over the tomb. It is understood that the corpse will be removed in a few days to the family vault at Georgetown.

**Biography of Major Gen. Alexander Macomb.**

Major General Alexander Macomb was born at Detroit April 3, 1782. The city of Detroit, at that time was a garrison town, and among the first images that struck his eyes were those of the circumstances of war. These early impressions often fix the character of the man.

His father was a fur merchant, respectably descended and connected. He removed to the city of New York while Alexander was yet an infant. When he was yet eight years of age, he placed him at school at Newark, in New Jersey, under the charge of the Rev. Dr. Ogden, who was a man of mind, belonging to a family distinguished for talents.

In 1798 while Macomb was quite a youth, he was elected into a select company, which was called the New York Rangers." The name was taken from that Spartan band of rangers selected from the provincials, who, from 1755 to 1763, were the elite of every British commander on Lake George and the borders of Canada. At the time he entered the corps of New York Rangers, Congress had passed a law receiving volunteers for the defence of the country, as invasion by a French army was soon expected. This patriotic band volunteered their services to government, which were accepted, but he soon left this corps, and obtained a cornetcy at the close of the year 1798, and was commissioned in January, 1799. General North, then adjutant general of the Northern army, soon saw the merits of the youthful soldier, and took him into his staff, as deputy adjutant general. Under such a master as the intelligent and accomplished North, Macomb made great progress in his profession, and in the affections of his brother officers of the army.

The young officer that Hamilton noticed, and North instructed, would not fail to be ambitious of distinction. He visited Montreal in order to observe the discipline and tactics of the veteran corps kept at that important military post, and did not neglect his opportunities.

The thick and dark cloud that hung over the country passed away—a great part of the troops were disbanded, and most of the officers and men returned to private life; a few only were retained; among them Macomb, who was commissioned as a second lieutenant of dragoons, and sent forthwith on the recruiting service, but it was then not necessary to push the business; and as he was stationed in Philadelphia, he had fine opportunities to associate with the best informed men of the city, and found easy access to the Franklin and other extensive libraries, of which advantages he did not fail to improve.

When his body of recruits was formed, he marched with it to the Western frontiers to join Gen. Wilkinson, an officer who had been left in the service from the Revolutionary war. In the company of Wilkinson, and of Col. Williams, the engineer, he must have gathered a mass of materials for future use. With him he went into the Cherokee country, to aid in making a treaty with that nation. He was on this mission nearly a year, and kept a journal of everything he saw or heard. This was a good school for one whose duty it might hereafter be to fight these very aborigines, and, in fact, these lessons of the wilderness are not lost on any one of mind and observation. The corps to which he belonged was disbanded, and a corps of engineers formed; to this he was attached as first lieutenant.

He was now sent to West Point, where he was, by the code there established, a pupil as well as an officer. Being examined and declared competent, he was appointed an adjutant of the corps at that post, and discharged his duty with so much spirit and intelligence, that when the first court martial, after his examination, was convened, he was appointed judge advocate. This court was ordered for the trial of an officer for disobeying an order for cutting off the hair. Peter the Great could not carry such an order into execution, but our Republican country did; and the veteran Col. Butler was reprimanded for not throwing his white locks to the wind when ordered so to do by his superior. The talents and arguments exhibited by Macomb, as judge advocate on this court martial, brought him into very great notice as a man of exalted intellect as well as a fine soldier. He was now called upon to compile a treatise upon martial law and the practice of courts martial, which in a future day of leisure, he effected, and his book is now the standard work upon courts martial for the army of the United States. In 1805 Macomb was promoted to the rank of captain in the corps of engineers, and sent to the seaboard to superintend the fortifications which had been ordered by an act of Congress. By this service he became known to the first men in the



country, and his merits were duly appreciated from New Hampshire to the Floridas.

In 1808 he was promoted to the rank of major, and acted as superintendent of fortifications until just before the war, when he was advanced to a lieutenant-colonelcy. He was again detailed to act as judge advocate on a court martial for the trial of Gen. Wilkinson, who had called the court on Col. Butler. He added to his reputation in this case. Wilkinson was his friend, but Macomb discharged his duty with military exactness.

At the breaking out of the war of 1812, he left the seat of Government, where he had discharged an arduous duty, in assisting to give form and regularity to the army then just raised by order of Congress. All sorts of confusion had prevailed, from the want of a uniform system of military tactics: he was fortunate in his exertions. When there was honorable war, he could not be satisfied to remain, as it were, a cabinet officer, and wear a sword only to advise what should be done, which seemed to be regulations of the army in respect to engineers; he therefore solicited a command in the corps of artillery that was to be raised, and was gratified by a commission as colonel of the third regiment, dated July 6, 1812. The regiment was to consist of twenty companies of one hundred and eighteen each. It was, in fact, the command of a division, except in rank. His reputation assisted in raising this body of men, and in November of that year he marched to the frontiers with his command. Macomb and his troops spent the winter at Sacket's Harbor. He contemplated an attack upon Kingston, but was defeated in his plan by the fears of some and the jealousies of others; but he soon distinguished himself at Niagara and Fort George: at the same time Commodore Chauncey was endeavoring to bring the enemy's fleet to battle on Lake Ontario. The next service performed by Col. Macomb was under Gen. Wilkinson, and if the campaign was not successful, Macomb was not chargeable with any portion of the failure.

In January, 1814, he was promoted to the rank of brigadier General; and was appointed to a command on the east side of Lake Champlain. Nothing of importance in the history of Gen. Macomb transpired, although he was constantly on the alert in the discharge of his duties, until the coronal of his fame was won at the defence of Plattsburg. This defence our limits will not permit us to describe with any minuteness, but suffice it to say, that, in the summer of 1814, Sir George Prevost, Governor General of the Canadas, had received a great augmentation of his regular forces, by detachments from the army which had fought in Spain and Portugal under the Duke of Wellington. These were among the best troops in the world, and he now determined to strike a blow upon our frontiers that should be decisive of the war, and bring our nation to terms at once. His fleet, on Lake Champlain, was considered superior to that of ours, and he was well informed that we had not there any army of consequence. Early in September he pushed on towards Plattsburg, and met, for several days, with little opposition. His error was delay; but he wished to move safely, and saw nothing to prevent his progress. Previous to the 11th, there had been some smart skirmishing, in which the British found more courage and efficiency than they expected, from troops so hastily called out. Early on the 11th the British gave battle by land and water—fifteen hundred of the regular army, and uncertain bodies of militia, made up Macomb's army. The enemy was fourteen thousand strong.

The battle was a decisive victory on the part of American forces; Macdonough captured the British fleet, and Sir George returned to Canada the next night. The victory was as brilliant as unexpected. Honors were voted Macomb in every part of the country. New York and Vermont were foremost in their tributes of respect. The President promoted him to the rank of major general, dating his commission on the day of his victory. The event had a happy effect on the negotiations then going on at Ghent, and unquestionably paved the way for a treaty of peace.

After the close of the war he commanded at Detroit, his birth-place. He was received at this military post with distinguished honors; many remembered his person, and all

had kept his reputation in view as reflecting honor upon the territory in which he was born. He continued at that post attentive to his duty and devising liberal things for the people of that region without confiding his exertions to any particular portion of territory, until, in 1821, he was called to Washington to take the office of chief of the engineer department. On the receipt of this information, he was addressed by all classes of the people of Detroit in the most exalted language of friendship and regard. On repairing to Washington, he assumed the duties of the bureau he was called to, and discharged them to the satisfaction of the Government and the Army. On the death of General Brown, Commander-in-Chief of the Army, General Macomb was appointed to that station, which he has ever since held, and in which he died.—*National Intelligencer*.

#### Correspondence between the President and Mrs. Harrison.

WASHINGTON, July 1, 1841.

*To the House of Representatives of the United States:*

I have the honor herewith to submit to the House of Representatives the copy of a letter addressed by myself to Mrs. Harrison, in compliance with the resolutions of Congress, and her reply thereto.

JOHN TYLER.

WASHINGTON CITY, }  
June 13, 1841. }

My Dear Madam—The accompanying resolutions, adopted by the Senate and House of Representatives of the United States, will convey to you an expression of the deep sympathy felt by the Representatives of the States, and of the People, in the sad bereavement which yourself and the country has sustained in the death of your illustrious husband. It may now be justly considered that the public archives constitute his enduring monument, on which are inscribed in characters not to be effaced, the proudest evidences of public gratitude for services rendered, and of sorrow for his death. A great and united people shed their tears over the bier of a devoted patriot and distinguished benefactor.

In conveying to you, my dear madam, the proposed respect of the two Houses of Congress for your person and character, and their condolence on the late afflicting dispensation of Providence, permit me to mingle my feelings with theirs, and to tender you my fervent wishes for your health, happiness and long life.

JOHN TYLER.

Mrs. ANNA HARRISON.

NORTH BEND, June 24, 1841.

Dear Sir—I have received with sentiments of deep emotion the resolutions of the Senate and House of Representatives, which you have done me the honor of forwarding, relative to the decease of my lamented husband. I cannot sufficiently express the thanks I owe to the nation and its assembled Representatives, for their condolence, so feelingly expressed, of my individual calamity, and the national bereavement; but, mingling my tears with the sighs of the many patriots of the land, pray to Heaven for the enduring happiness and prosperity of our beloved country.

ANNA HARRISON.

JOHN TYLER, President of the United States.

#### Death of James Abercrombie, D. D.

On the 26th ult., in the 84th year of his age, the Rev. James Abercrombie, D. D. A venerable minister of God has been gathered to his fathers, who for many years adorned the pulpit of the Episcopal Church with his pure and fervid eloquence. He was not only eminent as a divine, but blended with the higher duties of his profession the attractive pursuits of literature, and shone conspicuously as a scholar. His mind was virtue, graced by every accomplishment which could improve and refine society. An amiability of disposition accompanied him through life, which endeared him to his family and friends. He was compelled by declining years to withdraw from the pulpit for some time before his death, but never ceased to take the most lively interest in the service of his Lord and Master.

## Funeral Obsequies of Col. John Haslett.

On the morning of the 2d inst., according to the arrangements previously made, the remains of COL. JOHN HASLETT, were taken from the First Presbyterian Church on Washington Square, and under a military and civil escort, conveyed to Arch street wharf, from whence they were removed by steamboat to Delaware. The escort embraced a number of light companies, with the City Troop dismounted, accompanied by several bands of music, all under the command of General Patterson. The Hearse was drawn by four black horses, and eight members of the Hibernian Society walked as pall bearers. The coffin containing the remains, was shrouded in the old flag belonging to the "First Troop," which identical flag was in the battle in which the brave Col. Haslett fell. The committee of superintendence appointed by the Legislature of Delaware and the President of the Hibernian Society, followed in Barouches, and various invited guests succeeded on foot. The Hibernian Society, with crape upon the left arm, followed as mourners, and the citizens of Delaware residing in the city as well as those out of it, concluded the procession. During the progress of the solemn pageant up Walnut and down Arch, "Independence Bell" tolled and minute guns were discharged by a detachment of Artillery on Washington Square. When the procession reached the wharf, the military opened, and the Hearse with the remains was taken on board of the boat, and in the presence of a vast concourse of people, officially delivered to the committee of the citizens of Delaware. Mr. Binns in behalf of the Hibernian Society, delivered an address, and Mr. Huffington replied in behalf of the citizens of Delaware. The Philadelphia Greys, under Capt. Cadwalder, and the Washington Greys, under Lieut. Fox, accompanied the remains, and will be present this afternoon at Dover in Delaware.—*North American*.

### AN ADDRESS

Delivered on the 2d of July, 1841, at Arch street Ferry, Philadelphia, by Alderman John Binns, on delivering over to the Authorities of Delaware the remains of Col. JOHN HASLETT, who was shot dead at the Battle of Princeton, N. J., in January, 1777.

We are assembled to pay the homage of our high consideration to the memory of one, who, in the darkest days of our perilous struggle, took up arms in defence of Independence; one who bravely fought and gloriously died. While we are thus doing honor to ourselves and bending over the remains of a Hero of the Revolution, deputations from our constituted authorities and masses of our fellow citizens are taking "to the house appointed for all living" the body of one who was most dear to us; a hero of two wars one who had but recently been chosen Chief Magistrate of "these United States"—Wm. Henry Harrison.

The ingratitude of republics has been a theme on which the enemies of self-government have delighted to expatiate. We deny that republics are ungrateful. "I belonged to the army of the Revolution," has been a passport to honors and emoluments in every State of our proud Republic. We, therefore, are especially warranted in branding the stigma as a base libel. The page of history is darkly crimsoned with the deeds of Cæsars, of Cromwells, and of Napoleons; of men whose horses' hoofs were red with the blood of their too grateful countrymen. Countless are the names of those who, exalted by the gratitude of their countrymen, have trodden down the liberties of republics, while the whole human family has given birth but to one pure, one peerless, priceless patriot, one Washington; that glorious patriot who commanded when Haslett fell, and who, even in the hour of victory, watered with his tears the corpse of the gallant soldier.

To do honor to these remains we are here surrounded with all "the pride, pomp and circumstances of war:" officers of the army, and of the navy and volunteers, prompt to do homage to their departed fellow soldier, and equally prompt to emulate his example. Soldiers, elevate on high your

Eagles; give to the breeze your Stars and Stripes, and if your country calls, bear your "star spangled banner" to the battle field, where it was borne and upheld by Haslett; and if you cannot bear it victorious, do as he did, die nobly in its defence.

The deceased, Colonel John Haslett, was a native of Ireland, a gentleman of talents who had received a liberal education, and was by profession a physician. An association of his countryman, the Hibernian Society, are among those now gathered round his remains—clods of the valley—which once were animated by as daring and patriotic a spirit as ever gave life to the image of his Creator. That Society have appointed me to discharge the duty I am now discharging; a duty which would be but indifferently performed if I did not take occasion to say, that the members of this Society, their countrymen, and all Irishmen are proud, on proper occasions, to make known that their Montgomeries, their Hasletts, and their Irvins, the best blood of Ireland, has been freely shed to serve the good cause of "The land of the free and the home of the brave."

The State of Delaware, the near and much respected sister of Pennsylvania, adopted John Haslett. Before the Declaration of Independence, he raised and mustered a regiment at Dover, at the head of which, a few days after the Declaration, as its commanding officer, he marched to headquarters, and placed it under the orders of Washington.—The people of Delaware had marked the ardent patriotism, the fearless courage, the devotion to the public weal which characterised every action of Haslett, and they selected him to take command of as brave a regiment as took the field and fought for independence. He proved altogether worthy of the confidence; he led her sons where honor and fame were to be achieved; he set them a glorious example, and at the battle of Princeton, poured forth his life's blood. The State of Delaware, having enrolled the name of Haslett with her Reads and her Rodneys, will no longer permit his remains to be entombed in another State, even though that State be Pennsylvania. The constituted authorities of Delaware, on the 22d of February last, made arrangements to take all that remains of her heroic son to her own bosom, to deposit his relics in her own soil, and to raise over them a monument to her own glory, to cherish the remembrance of his virtues and to stimulate others to great and glorious deeds.

To you, gentlemen, who on this interesting occasion represent the State of Delaware, are about to be surrendered the precious relics of one of your many distinguished sons; your Legislature have wisely determined to take them home, and to bury them deep in the soil which he had cultivated, and in defence of which he nobly died.

To you, gentleman, they are now committed; deposit and reverence them, and teach your children to reverence them as the remains of him who was patriotic, great and good; thus shall you and they be an honor to your country.

### Statement of the New Orleans Banks.—5th June.

Capital paid up.....	\$41,962,316
Real Estate and other investments.....	9,589,708
Discounts and loans—On stock pledged.....	1,436,299
On do. by Property b'ks	3,859,669
On real estate bills and notes.....	45,166,832
Balances due to or from foreign bankers, Cr..	79,415
Do do do do Dr..	1,764,892
Dom. bills and notes of Banks of other States Cr.	971,615
Bal. due to or from banks in other States, Dr.	2,604,867
Do do do do Cr.	1,361,875
Liabilities, other than those expressed.....	4,539,971
Assets, other than those expressed.....	970,821
Balance due to or from local banks.....	1,221,242
Deposits.....	7,859,920
Circulation.....	7,140,759
Specie in the vaults.....	3,406,004

*New Orleans Bulletin.*

**Detail of the rise and fall of the River Mississippi, at Vidalia, for twenty-five years—By Samuel Davis, Esq.**

1817, March, rising rapidly; rising to the 1st of May.—17th, had fallen 2 inches; 22d June, had fallen 20 feet.—September, rising; 15th December, wanted only 1 foot of being as high as in the spring.

1818, January 1, falling; 25th, rising; fell in February. March 1st, very low for the season; began to rise, and continued to the 20th April, when it wanted a foot of being as high as last year, and  $3\frac{1}{2}$  feet of being as high as in 1815, when it was higher than ever known before or it has been since. 15th September, rising; 10th October, falling. In November, it was as low as it had been for many years. 8th December, rising; 20th, falling.

1819, January, rose about 10 feet; 25th, falling; 10th February, rising; continued to rise until 4th March, when it began to fall. 10th, rising, and continued to rise until 27th May—being 10 inches higher than last year. 9th June, had fallen 18 inches; 24th, Missouri water made its appearance. 15th November, river very low, being 50 feet lower than it was in the spring. December, rising slowly.

1820, 1st January, has risen 2 feet and is at a stand; 24th, rising; 10th March, wants 5 feet of being as high as last year; 17th, falling; 20th, rising; 5th April, falling, wanting 2 feet of being as high as last year; 9th, has fallen 8 inches; 25th, has fallen 8 feet and rising; 3d May, has risen 4 feet and falling; 1st December, rising.

1821, 10th January, has risen 35 feet and falling; fell 20 feet to 25th, and rising; 1st March, continues to rise at the rate of 2 inches in twenty-four hours, and only wants a foot of being as high as last year; 28th, heavy white frosts frequent during this month, and the ice this morning was one-fourth of an inch thick; 30th March, falling, being 1 foot 8 inches higher than last year.

1822, January, rising; 1st February, more than half full; 19th, falling; 20th, rising slowly; 4th March, rising rapidly; 15th, falling; 4th April, has fallen 7 feet, and rising; 15th May, falling, wanting 2 feet of being as high as last year; 24th, has fallen 4 inches, and rising; 1st of June, rose  $2\frac{1}{2}$  feet, and falling; 14th, has fallen 10 inches; 1st July, 3 feet; 20th, has fallen 5 feet and rising; 27th, falling; November, has risen 35 feet, and continued to rise until 23d December, when it began to fall, wanting 4 feet of being as high as in the spring. The Ohio river was higher this month than it has been for 6 years. Fell a few feet; 28th, rising, and continued to rise until 29th January, 1823, when it wanted only 4 inches of being as high as last spring. Fell 3 inches to the 1st of February, and began to rise; 13th, falling, being 8 inches higher than last spring. 15th February, weather remarkably cold, the thermometer at 7 o'clock, A. M. 40 degrees above zero, or 28 degrees below the freezing point; 4th March, river has fallen 9 feet and rising; 5th April, as high as it was in February, and rising; continued to rise until the 23d of May, when it wanted only 2 inches of being as high as the great flood of 1815. The spring has been remarkably wet—almost incessant rains from the 1st of March to the last of May—a long continuance of southerly gales, raised the waters of Pontchartrain and Maurepas, and inundated a part of the city of New Orleans, and the plantations on the eastern side of the river, as far up as Baton Rouge, Western Baton Rouge. The greater part of Point Coupé, and many plantations below, on both sides of the river, were inundated by breeches in the levees. Concordia, and both banks of the river, to the mouth of the Ohio, entirely overflowed. 27th, falling; 1st June, has fallen 3 inches—but for its lower tributaries, Arkansas, Yazoo, &c., the river would have fallen here about the 5th of May, the Ohio and upper Mississippi having fallen in time to produce that effect. The Ouachita, Arkansas, White and Mississippi rivers at St. Louis, have been higher than for 40 years. 10th of June, has fallen 1 foot; 20th, has declined only 5 inches in the last 10 days, being checked by the rise of the Missouri; 24th, has fallen 15 inches; 1st of July, 20 inches; the water in the swamp has declined 6 feet; 10th, river has fallen 4 feet; 1st of August, 6 feet, and rising; 5th.

of August, rose 1 foot, and falling; 1st of November, low and falling; 1st December, very low, and continued so until

1824, 2d January, when it began to rise. 5th February, within 8 feet of being as high as last year and beginning to fall; 17th, has fallen 12 feet and rising; 3d of March, has risen 9 feet and falling; fell 3 feet; 7th, rising; 1st April, rising at the rate of an inch in 24 hours; 30th April, stationary; 7th May, wants only 8 inches of being as high as last year, and flooding the low grounds; at the mouth of the Arkansas, it has been as high as it was last spring; 27th, has fallen 8 inches; 12th of June, remained stationary two weeks and is now falling; 22d of June, has fallen  $2\frac{1}{2}$  feet and begins to rise; 28th, Missouri is higher than known for many years; 2d of July, has risen 4 inches and began to fall; 1st August, has fallen 3 feet and declines slowly; September, low; 20th of November, low for the season and rising; 1st of December, has risen 10 feet and is falling; 9th, rising.

1825, 9th January, wants 6 feet of being as high as last spring and falling; 17th February, has fallen 30 feet and rising. 1st April, continues to rise; 2d May, falling, wanting 1 foot of being as high as last year; 20th May, fallen 10 inches and rising; 2d June, has risen 2 inches; 16th, has fallen 8 inches; 24th, 3 feet; 1st July, 6 feet; 20th, 12 feet; 1st August, 20 feet.

1826, January 15th, the river is at low water mark, and with the exception of a 5 feet rise from the Arkansas, has continued at a low stage since August. 20th, rising; 3d February, has risen 12 feet and is falling; 25th, has fallen 10 feet and rising; 12th March, has risen very rapidly and banks nearly full; 25th April, falling.

1827, 8th February, very low—commenced rising; 20th, has risen 20 feet; 1st March, banks nearly full and rising; 23d March, wants 3 feet of being as high as last spring and begins to fall; 1st April, has fallen  $2\frac{1}{2}$  feet and is stationary; 7th, rising; 26th at a stand, being 1 foot higher than on the 23d ult; 1st June, falling. 17th July, has fallen 20 feet; 21st, has risen 12 feet; 26th, falling; 10th August, has risen again and the banks nearly full; 16th October, low; December, rising.

1828, January, high and rising; 28th February, rising and the low grounds inundated; 26th March, is about as high as it was in 1823; 1st April, falling; 10th, has fallen 6 inches here and only 2 inches at Point Chicot; at New Orleans, it began to fall sooner than it did here; 1st May, has fallen 13 inches and is nearly stationary; 5th June, falling. The Red river has been higher than known for many years, Alexandria overflowed, falls a few inches, and rises again the last of the month. 1st July, only 15 inches lower than on the 16th May; 12th July, falling and continued to fall until the 1st November, when it was low; 1st December, rising.

1829, 1st January, has risen 15 feet since 1st December and is falling; 20th, has fallen 10 feet; 4th March, very low, trying to rise; 22d, has risen 20 feet and stationary; 1st April, falling; 18th, rising—about 12 feet bank; 26th, at a stand; 1st May rising slowly; 7th May, falling—wants 7 feet of being as high as last year; 1st June, has fallen 8 feet; 11th June, 16 feet; 1st July, 25 feet; August, falling; September, low; 15th October, has risen 8 feet; 14th December, was 15 feet of being at the top of the bank and rising.

1830, 1st January, falling—being 7 feet below the top of the bank; 16th, has fallen 5 feet and rising; 28th, falling; 25th February, near low water mark and begins to rise; 1st March, has risen 6 feet and continues to rise; 1st April, wants  $5\frac{1}{2}$  feet of high water mark; 20th rising; 19th May, falling—wanting 2 feet of being as high as in 1828; 1st June, fallen 18 inches and begins to rise; 1st July, has risen 10 inches and is falling; 15th July, has fallen 5 feet; 26th July, 15 feet; October, lower than it has been for many years; 20th November, as low as ever known; December rising.

1831, January 1, has risen 20 feet—wants 13 feet of being at high water mark, 1st February has fallen 10 feet; 5th, rising; 20th, falling; 1st March, rising; 10th April, rising; 7th May, falling—wanting 3 inches of being as high as last year; 6th June, fallen 3 feet; 1st November, low, but rising; December 27th, near low water mark.

1832, 12th January, rising; 1st February, 15 feet bank; 25th rising—5 feet bank; the river Ohio has been higher

this month than ever known before; March 4th, 3 feet bank and river rising; 19th April, falling—wanting 2 inches of being as high as last year; 8th May, has fallen 5 inches and is rising; 17th has risen 6 inches and is falling again; 1st July, has fallen 15 feet; 19th December, river two thirds full and rising.

1833, 1st January, 12 feet bank and falling; 10th fell 10 feet and rising; 24th, 8 feet bank and river at a stand; February, rising; 12th March, wants  $2\frac{1}{2}$  feet of being as high as last year; 1st April, has fallen 2 feet and rising slowly; 15th falling; 10th May, has fallen 10 feet and continues to fall; 1st June, rising; 23d, wants  $2\frac{1}{2}$  feet of being as high as it was in April. The Arkansas has been 10 feet higher than ever known before. July, river falling.

1834, January, rising; 12th February, wants 5 feet of high water mark and begins to fall; rising all March; 6th April, falling—and wants 1 foot of being as high as last year; 20th May has fallen 15 feet; 1st June, 25; July, rose 30 feet this month—falling on the 25th.

1835, January, low; 1st February, rising; 8th, thermometer at 6 A. M., 3 degrees below zero; 16th, river within 10 feet of the top of the banks; 24th, has fallen 12 feet; 1st March, rising; 5th river two-thirds full; 21st, 20 feet bank and river rising; 10th April, falling—wanting 6 feet of being to the top of the banks; 20th April, has fallen 6 feet and is rising—continued to rise until the 3d June, when it was within 3 feet of the top of its banks; 22d June, has fallen 18 inches and continues to fall slowly; 1st November, rising; 8th December, being 8 feet to the top of its banks and falling.

1836, 1st January, has fallen 20 feet and begins to rise; 1st February, 8 feet banks and begins to fall; fell 16 feet and began to rise 24th February; 1st April,  $2\frac{1}{2}$  feet bank and rising; 31st May, falling—wanting 14 inches of being as high as in 1828; 10th June, has fallen 1 foot and is stationary; 20th, falling; rose 30 feet in December, and fell in

1837, January; February, very low; March, rising; April 20, falling—wanting 2 feet of being as high as last year; 20th May, has fallen 15 feet; continued low in the fall.

1838, January and February, low; March, rising; 1st April, 4 feet bank and rising; 16th April, falling—being 3 feet within its banks. There was a small rise in November; but in the summer, fall and part of the winter, it was uncommonly low.

1839, rising; rose 15 feet and fell; March 12th, half full and rising; 8th April, falling—having 10 feet bank; 1st May, has fallen 10 feet. Unusually low all the summer and fall.

1840, 15th February, rising; 23d March, higher by several feet than it was last spring and falling; fell 6 inches and began to rise again 15th April; 1st May, rising; 18th June, falling—being higher than it has been since 1828, excepting 1836, and wanting  $16\frac{1}{2}$  inches of being as high as it was then.

1841, January and February, high—wanting only 4 feet of being as high as last year; fell 8 feet and began to rise 15th March; 30th May, falling—wanting 15 inches of being as high as last year; 3d June, has fallen 8 inches; 5th June, 18 inches.—*Mississippi Free Trader*.

#### Correspondence in relation to the return of the Mediterranean Squadron to the U. States.

NAVY DEPARTMENT, }  
June 16, 1841. }

The Secretary of the Navy, to whom has been referred the resolution of the Senate of the 14th instant, requesting the President of the United States to cause to be communicated to that body, "if not incompatible with the public interest, the correspondence of the Minister in England with the officers of the Mediterranean squadron, in consequence of which the squadron left that station, and the despatches of Captain Bolton to the Secretary of the Navy connected with that movement," has the honor to report to the President the accompanying paper, embracing the correspondence and despatches called for. Respectfully submitted,

GEO. E. BADGER.

To the President of the U. States.

U. S. FRIGATE BRANDYWINE, }  
Off Long Island, May 9, 1841. }

Sir:—I have confided to the Rev. Mr. Stewart the delivery of my despatches to the Department, which will inform it of the circumstances that influenced me in quitting the Mediterranean to return to the United States.

The ship has arrived in condition for any purpose the Government may designate, and I shall feel most happy to meet its wishes. The officers and crew are of first rate character; have acted in great unison; their discipline and practice perfect, and I therefore trust that no necessity may exist for separating one from the other.

On any point on which you may need information further than what the accompanying documents afford, I refer you to Mr. Stewart, who has been in close association with me since I left home; and, ignorant of any present circumstances which may at once determine the Department in the future employment of this ship, I would venture without delay to express, through him, my own views and wishes in the case.

I have instructed this gentleman to await the pleasure of the Department; as soon as that is understood, he is to return to me. If your duties admit of it, I would be gratified to receive a visit from you.

My intention is to keep every body by the ship until I hear from you.

In coming home, I forego the attractions of the Mediterranean, and place at your disposal an effective ship, so far as she can be rendered such by my aid, which may be needed by you. I have the honor to be, sir,

Very respectfully, your ob't serv't,

W. C. BOLTON, Captain.

To the Hon. Secretary of the Navy, Washington.

#### *Minutes of proceedings of a Council composed of the Commanders of vessels of the Mediterranean squadron, under the command of Com. Isaac Hull.*

On the 24th day of March, A. D., 1841, Commodore Hull issued his orders, calling a meeting on board the United States ship Ohio, in the harbor of Mahon, Island of Minorca, at 11 o'clock, A. M. of the same day, of the following officers, viz: Captain Wm. Compton Bolton, commanding the U. S. frigate Brandywine, Captain E. A. F. Lavellette, commanding the U. S. ship Ohio, and Commander Ralph Voorhees commanding the U. S. sloop-of-war Preble.

The officers named assembled in the poop-deck cabin of the United States ship Ohio, in the presence of Commodore Isaac Hull, on the day and at the time required.

Commodore Hull briefly stated the objects of the meeting; and to more fully elucidate it, directed his Secretary to read the following, viz:

Gentlemen:—Commodore Hull desires to say, he has called you together for the purpose of placing before you a letter he has received from the Minister of the United States at the Court of Great Britain, enclosing publications taken from the newspapers in relation to the existing difficulties which exist between the United States and Great Britain; that he is without instructions from the Government in relation to those difficulties; and, under the circumstances of the case, he deems it necessary that some preparatory movement should take place in the squadron under his command.

Commodore Hull, therefore, desires to hear your views in relation to that measure, and states as his own the following, viz: There are three positions which the squadron can select from; 1st, to proceed to Toulon, where the earliest information could be received, and where perhaps instructions from the Government of the United States would probably reach him earlier than at any other point. 2d, to proceed out of the Mediterranean to some point where he could hear the result of the existing difficulties; and 3d, to put the squadron in motion to return to the United States. The last, however, without more definite information or instruction from the Navy Department, Commodore Hull is not much in favor of. Commodore Hull desires to hear your sentiments on those propositions, and will also be glad to hear any others that may strike you as better adapted to



the present doubtful and uncertain position in which he is left.

After this, the said secretary to Commodore Hull was directed to read the letter hereunto appended, from His Excellency, A. Stevenson, United States Envoy, dated "London, March 8th, 1841," and from John Hare Powell, Esquire, dated "London, March 11th, 1841," when the following views and sentiments were expressed by Capt. William Compton Bolton: That he had reflected upon this subject and was at first impressed with the belief that the squadron should at once proceed to Toulon, but that, on further consideration, he was convinced that the proper and only available course to pursue was to leave the Mediterranean, and to proceed outside, where information of events, and the actual state of affairs could be learned, by or from vessels traversing between the United States and Great Britain; and if hostilities were to be resorted to, the squadron would then be so situated as to be enabled to render efficient aid at sea, or it might proceed to the United States where its services would be available on the coast, or in our harbors; the ships might be converted into moving harbor batteries, to be manned by militia or soldiers, and our seamen disposed of on the lakes, or to advantage otherwise. Another very great consideration is, that by taking this course, the policy or plan of our Government in conducting the threatening war, and of which we are now entirely ignorant, would be ascertained. And in case of a favorable termination of the existing difficulties, the squadron could return to the Mediterranean, and resume its station there.

The views of Captain Bolton were fully assented to by Captain Elie A. T. Lavallette, and by Commodore Ralph Voorhees.

And to which Commodore Hull replied, I am prepared to pursue that course.

It was then suggested by Captain Wm. Compton Bolton, that definite action on the movements of the squadron, had better be suspended until it should be ascertained if a French steamer from Toulon, then about entering the harbor of Mahon, brought later news than was already at hand, which suggestion was adopted, and the council broke up.

It having been ascertained that the French steamer brought no information to change the views already formed, expressed and assented to, the officers before named; again met on the same day in Mahon; at half past one o'clock, P. M. when a verbal order was given, by Commodore Hull, to the following effect, viz: that every preparation should be made to proceed to sea to-morrow, the 25th day of March, A. D. 1841.

The foregoing minutes contain the views expressed, in corroboration of which, we hereunto affix our names.

Done in Mahon, island of Minorca, the 24th day of March, 1841.

W. C. BOLTON, Captain,  
E. A. T. LAVALLETTE,  
RALPH VOORHEES, Com'r  
ISAAC HULL,

Commander-in-Chief of the United States  
Naval Force in the Mediterranean.

Attest JOHN ETHERIDGE,  
Commodore's Secretary.

The foregoing is a true copy.

JOHN ETHERIDGE, Com. Sec'y.

LONDON, March 8, 1841.

Dear Sir:—Although I am ignorant of your plans, and take it for granted you hear regularly from our Government, I yet deem it proper to write and apprise you of the excitement which prevails here and the fears which many entertain that we may be *forced into war with Great Britain*. Although, in my opinion, such will not be the immediate result, it is by no means improbable that this may be the case. The affair of the *Caroline steamer, destroyed at Schlosser in 1837, and the imprisonment of McLeod, together with the boundary question*, are the immediate causes of the excitement which now prevails in both countries. The arrival of the "U. States" packet a few days ago, and the West Chester last night, bring accounts to the

16th of February. I send you the Times of this morning, containing the report of the committee of Foreign Relations, in the House of Representatives, with a short debate on it. I received no communication or papers from Washington. I hasten to apprise you of the present state of things, to enable you to decide what steps it may be proper to take with our squadron in the Mediterranean. Would it not be the most judicious course to get nearer home, and within reach of orders from the Department? Unless you have strong reasons for remaining, and of which I know nothing, I should think it the safer and more prudent course to return. I beg, however, that you will judge for yourself; for really it is a matter of which I know very little. I shall be glad to hear from you, as soon as you have decided what you mean to do.

In haste, believe me, dear sir, your obedient servant,

A. STEVENSON.

Commodore ISAAC HULL,  
Care of Fitch, Brothers & Co., Marseilles.

[CONFIDENTIAL.]

LONDON, March 11, 1841.

When war is threatened, the hero of the Constitution is present to the mind of every American. I refer you, my dear sir, to the enclosed extracts from the ministerial and opposition journals, the Chronicle and Times. My opportunities certainly are not small, as I am in daily converse with members of both Houses of Parliament, and I regret to find that in private, as well as in debate, the most decided tone of hostility prevails through all parties. The Tories have declared in the speeches of Lord Stanley and Sir Robert Peel, of Sir Henry Harding, of Mr. Smith O'Brien, their fixed determination to defend the position taken by the Cabinet in relation to the demand in regard to McLeod. Lord Palmerston stated, in the House of Commons, on the 9th of February, that the *ultimatum* had been sent that night to Mr. Fox. Lord Melbourne stated in the House of Lords on the same evening that measures had been taken to uphold the honor and dignity of the nation, and to "succour" McLeod. These remarks produced in both Houses from all sides loud and continued cheering.

Mr. S. and all men agree as to the meaning of the term in "succour," when applied to a man in prison and in a foreign country. Notice the preparations for defence, the violent and warlike tone of the Committee of Foreign Relations, the reports and resolutions in the Legislature of Maine, the paragraphs of the ministerial journal, the Chronicle, stating that workmen are employed in relays by night and by day to force into readiness the steam frigates for the American coast. Read the report that ten sail of the line are ordered to assemble at Gibraltar in consequence of the trial of McLeod.

I am aware that the American Minister wrote to you two days since; but in his absence from London for the day, I venture with the approval of Mr. Rush, the Secretary of Legation, to communicate the news just arrived. Mr. Rush's brother, of your squadron, has many of the facts in this important question.

You will pardon an American whose intrusion proceeds from a desire that Hull shall be prepared for his enemy, to add lustre to his name and glory to his country.

I am, my dear sir, most truly yours,

JOHN HARE POWELL.

I open my letter to say Mr. Rush has heard this letter, and entirely approves it.

(Orders of March 25, 1841.)

U. S. SHIP ONIO, PORT MAHON, }  
March 25, 1841. }

Sir:—Circumstances render it necessary to make rather a hasty movement in the squadron under my command.

I have, therefore, to direct that you proceed to sea, and make the best of your way out of the Mediterranean. You will endeavor, either by speaking vessels or by touching at some port, to ascertain the state of affairs between the United

States and Great Britain. In case of war you will use every exertion to protect yourself and command, and to annoy the enemy, cruising as long as your provisions and other circumstances will admit of, and when a favorable opportunity offers, you will run into some port of the United States and report to the Secretary of the Navy. Much, however, must be left to your own judgment. Should you ascertain that quietness has been restored, you will return to the Mediterranean, touching at Mahon, where you will probably hear from me.

Very respectfully, I am sir, your obedient servant,

ISAAC HULL,

*Commander-in-Chief of the U. S. Naval Force in  
the Mediterranean.*

Captain WILLIAM C. BOLTON, Commanding  
U. S. Frigate Brandywine, Port Mahon.

—  
*Memorandum.*

U. S. FRIGATE BRANDYWINE, AT SEA, }  
April 10, 1841. }

The squadron sailed from Mahon, on the 25th of March, after keeping company with Commodore Hull for nine days, contending, for the greater part of the time, with adverse winds, or delayed by calms, from getting out of the Mediterranean, which was a first object. I determined to make the best of my way, and shift for myself, although the Commodore had implied a wish verbally, that I would accompany him past the Rock of Gibraltar.

At the time of our departure, it was believed that the ships would prove equal sailers—that we should be favored by winds—have a good run out, and could easily therefore, accommodate each other. The reverse turned out the case; our ship surpassed the Ohio in an astonishing manner; and I am confident a loss of at least sixty miles ensued to us from this inequality of sailing, and my manœuvres to keep near him; which loss might have placed me, equally with himself, in the power of the heavy force reported as being on its way to capture or blockade us. Such support as I could give the Ohio would avail, comparatively, but little and it seemed to me, the surest way to avoid encumbrance to either, and to give chance for distinction, security or escape to both, was to separate. If war exists with such a power as Great Britain, it cannot be the policy of our Government to cruise in squadron on the ocean.

The views interchanged between Commodore Hull and his captains at Mahon, could not have undergone any material change, else he would have communicated it by signal; or by a boat, which, on one occasion, I sent to him at sea. It was apparent to me, that he could procure no information from the vessels passing in the Mediterranean, to be relied on, because it could only be derived through interested channels—such as British steamers, or sources of doubtful authority—or of a date so recent as that which came to our knowledge at Mahon. By delay danger was increasing, and by my proceeding I could more readily meet it, and, possibly, convey intelligence of it to the Commodore.

The "Preble" separated from us both, under what circumstance I know not. My separation from the flag ship was first caused by bad weather at night. Whether the "Ohio" or the "Brandywine" was in fault, I cannot say.

I met a detention of three days from strong head winds, in sight of the Rock of Gibraltar, which afforded time for the Commodore to have reached that point. He not doing so, I availed myself of a fine opportunity of passing through; and, persuaded that there was no American interest behind me to protect, I, on mature deliberation, determined, under my orders, to lay my course directly home, as the only point at which any satisfactory and conclusive intelligence—such as could be depended on—could be speedily gained: knowing that it was within my ability to make the passage to the United States and back again, if desirable, before I could possibly, elsewhere, be informed of the true state of the existing relations between the two countries.

Respectfully submitted,

W. C. BOLTON, Captain.

To the Hon. Secretary of the Navy, Washington.

CONSULATE OF THE UNITED STATES, }  
Gibraltar, April 7, 1841. }

My Dear Sir:—Understanding the cause that induced you to come this way from Port Mahon, the Quarantine Department permitting me to communicate with you, I not only send by the bearer of this a mail for your squadron, but with pleasure inform you that the steam packet this morning from England brings intelligence of the pacific dispositions of the two governments. President Harrison was formally installed on the 4th ult., his speech bearing remotely on foreign relations. On motion of Mr. Buchanan, the Committee on Foreign Relations was discharged from considering the resolution requesting the President to communicate the correspondence with Great Britain on the North-Eastern Boundary. That there was no truth in the rumor of any angry correspondence having passed between Mr. Fox and Mr. Forsyth; that Great Britain had a sincere desire to bring things to a termination, and Mr. Clay said himself that he had not been appointed to a special [mission] to England; he thought the resident ambassador able to do all that was necessary without difficulty, and without delay.

McLeod was in prison at Lockport, would be removed to Albany for trial; to facilitate his delivery, the British Government had justified the burning of the Caroline; hence he would be given up; but the owners of the steamer would continue their proceedings to recover the value of the steamer. All this was received in England by New York packet ship "Patrick Henry," dates to 8th ult.

On the 27th ult., I received from the Legation of the United States, London, a despatch for your good self, to be forwarded at the earliest moment, by such mode of conveyance as would answer, the certainty of its reaching you. A steamer starting the same day for Barcelona, I sent it under cover to the United States consul for that port, with directions for want of opportunity to send it to Port Mahon, to send it forward to Marseilles, to the care of the naval contractors. I at the same time addressed a letter to those agents directing them, in case of their receiving the letter, and aware of your leaving the Mediterranean, to return it to me.

Allow me to add, and express the hope that the pacific news from England will remove any objection you might have to visiting this port, being now so immediately in the neighborhood.

I am, my dear sir, your friend and humble serv't,

HORATIO SPRAGUE, Consul.

Com. ISAAC HULL,

*Commanding U. S. squadron*

*in the Mediterranean.*

Original thus endorsed by Captain Bolton:

"Received at sea, near Gibraltar, on the afternoon of the 8th of April; opened by me in presence of Lieut. Mercer and Chaplain Stewart, in consequence of the superscription of the envelop, thus: *United States Consulate, Gibraltar.*"

"To Commodore Isaac Hull, or to any of the commanders of the United States ships of war in the Mediterranean."

Witness:

W. C. BOLTON.

SAMUEL MERCER,

CHARLES SAMUEL STEWART.

—  
*Reply to the foregoing.*

U. STATES SHIP BRANDYWINE, }  
Off Gibraltar, April 8, 1841. }

My Dear Sir:—I have received your communication of yesterday's date, addressed to "Com. Hull, or the commanders of any of the U. S. ships of war in the Mediterranean." I am in possession of the principal intelligence communicated, but I am not the less obliged for the attention of transmitting it. What I have received from you will not influence my movements. I am on a cruise, and shall not visit Gibraltar.

Very sincerely, your friend,

W. C. BOLTON.

H. Sprague, Esq., &c. &c.

### The late Joseph Parker Norris.

In the death of Mr. Norris the community has lost one of the few remaining old fashioned men who are fast disappearing from this scene of action. Having occupied a prominent station in society, he should not be suffered to descend to the tomb without some passing notice of his worth.

He was descended from one of the oldest families of the State, his ancestors being the personal friends of Penn and among the first settlers of the province with him. Like them he was a member of the Society of Friends. Having received a good liberal education he was afterwards educated for a mercantile life and entered the counting-house, of an eminent merchant of this city, where he made himself practically acquainted with the principles of trade though he never embarked in it.

For many years he filled the office of President of the Bank of Pennsylvania. This situation was as honorable as it was responsible. The history of his public life is the history of that bank, for he was identified with it. With the exception of one year, he was a director from the incorporation of the bank in 1793 until the death of Mr. Fox, in the spring of 1808, when he was elected president, and he continued to preside over it until shortly before his death, when he resigned the office after an administration of thirty-three years, and after having been an officer of the bank for forty-seven years, a longer period of time it is believed than any similar office has ever been held by any individual in this country. His accession to a place which he filled with eminent ability for so many years, constitutes one of the most memorable eras in the history of the bank. During the administration of Mr. Norris, embracing periods of great commercial revulsions and financial vicissitudes, and during the violent excitement of great political contentions, the management of that institution equalled the desires of all. A leading object in the establishment of the Bank of Pennsylvania was, to promote the regular, permanent and successful operation of the finances of the State as well as to benefit trade and industry generally. With this view her capital was then deemed very large, and the State retained a large interest in it. After the experience of half a century it may be safely asserted that the object of the institution has been fully answered. The loans she has made and the facilities she has rendered to the Commonwealth in obtaining pecuniary assistance, especially in sudden emergencies, are well known, and as her financial agent, her important duties have been long and most faithfully performed.

[Extracted from the Inquirer.

### Apalachicola City Taxes.

The following is a summary of taxes paid in this city, the year ending the 1st of February, 1841, and the description of property on which the taxes are levied.

	Estimated value.	Tax.
Improved Real Estate.....	\$693,300	\$1,733 25
Unimproved do .....	492,750	2,463 75
Wharf property.....	258,450	775 35
Sales of merchandise .....	422,280	527 85
Commissions and profits of Banks	65,824	987 36
12 Lawyers and physicians.....		120 00
377 White inhabitants.....		754 00
163 Slaves .....		326 00
28 Horses .....		84 00
6 Pleasure carriages .....		60 00
25 Dogs .....		50 00
10 Free Negroes .....		250 00
		<hr/>
		\$8,131 56

It will be perceived that the above statement does not include the taxes paid on drugs, wagons and carts, which amounts to some \$500, and licenses for retailing spirituous liquors, amounting to \$1,500, which latter amounts are paid to the city clerk.

The population of Apalachicola during the season of business, is about 3,000 souls.—*Florida Journal*.

### THE DROUGHT.

Under this head you published in your paper of Saturday last an account of the present prospect for the early harvest in Ohio, Michigan and Western New York. We too are suffering severely in this neighborhood, particularly in regard to grass and the early garden vegetables. On referring to our records of the rain fallen during the last two months, and comparing them with the records of the same months for a series of years, I was struck with the comparative small quantity of the present season. It is but about one-half of the least quantity in the same months for the last 17 years, and about one-third of the average quantity. I enclose a tabular view of the whole period which you are at liberty to publish if you think it of sufficient importance.

Year.	May.	June.	Total.
	Inches.	Inches.	Inches.
1825	1.91	5.07	6.98
1826	49	4.04	4.53
1827	5.44	2.14	7.58
1828	6.25	6.16	12.41
1829	3.13	2.88	6.01
1830	3.81	4.01	7.82
1831	3.94	4.42	8.26
1832	7.41	54	7.95
1833	2.91	3.97	6.88
1834	6.49	3.69	10.18
1835	2.18	2.16	4.34
1836	2.17	3.73	5.90
1837	6.88	4.06	10.94
1838	3.43	5.09	8.52
1839	5.58	3.16	8.74
1840	2.28	2.41	4.69
1841	2.02	42	2.44
	66.22	57.95	124.17
Average,	3.89	3.41	7.30

Waltham, June 30, 1841.

H.

[Boston Adv. & Patriot.

### Bankrupt Law.

The Speaker laid before the House a Message from the President of the United States, enclosing a memorial from citizens of New York, praying the passage of a bankrupt law. The memorial was signed by 3,000 persons. The Message was read, and is in the following words:

To the House of Representatives of the United States:

The accompanying memorial in favor of the passage of a bankrupt law, signed by nearly three thousand of the inhabitants of the city of New York, has been forwarded to me, attended by a request that I would submit it to the consideration of Congress. I cannot waive a compliance with a request urged upon me by so large and respectable a number of my fellow-citizens. That a bankrupt law, carefully guarded against fraudulent practices, and embracing, as far as practicable, all classes of society—the failure to do which has heretofore constituted a prominent objection to the measure—would afford extensive relief, I do not doubt. The distress incident to the derangements of some years past has visited large numbers of our fellow-citizens with hopeless insolvency, whose energies, both mental and physical, by reason of the load of debt pressing upon them, are lost to the country. Whether Congress shall deem it proper to enter upon the consideration of this subject at its present extraordinary session, it will doubtless wisely determine. I have fulfilled my duty to the memorialists in submitting their petition to your consideration.

JOHN TYLER.

WASHINGTON, June 30, 1841.

The message and memorial were referred to the Committee on the Judiciary, and the message was ordered to be printed.—*Nat. In.*

Census of Pittsburg and

CITY OF PITTSBURG.	FREE WHITE PERSONS.												
	MALES.												
	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	90 & under 100.	100 & upwards.
North ward.....	243	172	153	181	402	254	93	46	18	2	1	..	..
West ward.....	259	159	162	208	546	235	109	60	23	4	1	..	..
South ward.....	267	175	165	185	518	247	120	44	22	8	1	..	..
Fifth ward.....	428	290	238	194	417	336	157	69	21	15	2	..	..
East ward.....	446	331	263	285	683	427	165	98	39	13	3	..	..
Total city of Pittsburg.....	1,643	1,127	981	1,053	2,596	1,499	644	317	123	42	8	..	..
City of Alleghany.....	946	693	512	542	846	643	344	214	50	28	8	1	..

Table

CITY OF PITTSBURG.	FREE COLORED PERSONS.								
	MALES.						FEMALES.		
	under 10.	10 and under 24.	24 and under 36.	36 and under 55.	55 & under 100.	100 & upwards.	Under 10.	10 and under 24.	24 and under 36.
North ward.....	7	24	19	5	3	....	6	13	15
West ward.....	13	36	19	3	2	....	10	27	12
South ward.....	12	22	21	4	2	....	21	21	20
Fifth ward.....	6	4	5	2	....	....	5	7	4
East ward.....	26	33	49	18	3	....	42	63	43
Total city of Pittsburg.....	64	119	113	32	10	....	84	131	94
City of Alleghany.....	33	31	29	25	6	....	32	45	26

Table

CITY OF PITTSBURG.	No. of persons employed in				Number of pensioners for revolutionary or military services.	Deaf and dumb, blind and insane white persons.					
	Manufactures and trades.	Navigation of the ocean.	Navigation of canals, lakes and rivers.	Learned professors and engineers.		Deaf and dumb.			Blind.	Insane and idiots.	
						Under 14.	15 and under 25.	25 and upwards.		At public charge.	At private charge.
North ward.....	308	....	14	32	....	1	....	1	....	....	....
West ward.....	422	....	91	26	1	....	....	1	....	....	1
South ward.....	459	8	65	28	....	....	....	....	3	....	....
Fifth ward.....	522	....	34	18	1	1	....	....	....	....	....
East ward.....	634	1	41	29	1	....	....	....	4	....	2
Total city of Pittsburg.....	2,345	9	248	133	3	2	....	2	7	....	3
City of Alleghany.....	1,070	....	77	35	11	4	....	2	7	6	1



Alleghany City June 1, 1840.

CITY OF PITTSBURG.	FREE WHITE PERSONS.												
	FEMALES.												
	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	90 & under 100.	100 & upwards.
North ward.....	225	192	204	300	375	195	82	49	12	13	..	..	..
West ward.....	278	215	184	290	470	189	116	59	35	16	4	..	..
South ward.....	284	212	197	250	417	211	109	60	25	8	1	1	..
Fifth ward.....	417	287	255	275	475	281	151	83	32	10	3	..	..
East ward.....	471	340	306	383	590	387	202	85	41	13	6	1	..
Total city of Pittsburg.....	1,675	1,246	1,146	1,498	2,327	1,263	660	336	145	60	14	2	..
City of Alleghany.....	918	715	587	667	986	560	294	182	67	31	9	..	..

Continued.

CITY OF PITTSBURG.	FREE COLORED PERSONS.			SLAVES.		TOTAL.	No. of persons employed in mining.	No. of persons employed in Agriculture.	No. of persons employed in commerce.
	FEMALES.			MALES.	FEMALES.				
	36 and under 55.	55 & under 100.	100 & upwards.						
North ward.....	4	4	....	....	....	3,312	....	....	172
West ward.....	8	3	....	....	....	3,755	....	....	132
South ward.....	8	1	....	....	....	3,659	....	3	91
Fifth ward.....	1	....	....	....	....	4,500	....	....	40
East ward.....	28	6	....	....	....	5,889	1	1	154
Total city of Pittsburg.....	49	14	....	....	....	21,115	1	4	589
City of Alleghany.....	19	....	....	....	....	10,089	5	....	155

Continued.

CITY OF PITTSBURG.	Deaf and dumb, blind and insane colored persons.				SCHOOLS.							
	Deaf, dumb, and blind.		Insane and idiots.		Universities or colleges.	Number of students.	Academies and grammar schools.	Number of scholars.	Primary and common schools.	Number of scholars.	Number of scholars at public charge.	No. of white persons over 20 years of age who cannot read and write.
	Deaf and dumb.	Blind.	At priv't charge.	At public charge.								
North ward.....	....	....	....	..	..	....	1	50	3	480	370	38
West ward.....	....	....	....	..	..	....	2	188	3	240	240	6
South ward.....	....	....	....	..	1	50	2	150	2	200	200	19
Fifth ward.....	....	1	....	..	..	....	1	147	4	650	500	26
East ward.....	....	....	....	..	..	....	3	220	6	1,011	675	211
Total city of Pittsburg.....	....	1	....	..	1	50	9	755	18	2,581	1,985	300
City of Alleghany.....	....	....	1	..	1	31	3	169	12	709	390	32

**Quick Work.**

The *Britannia* arrived at the dock in Boston this (Sat.) morning, July 3, at a few minutes before 8 o'clock. By extraordinary exertions we have received the news brought by her, and are enabled to lay it before our readers this evening.

Immediately after her arrival our Express started off upon the railroad for Norwich via Worcester. When about 35 miles this side of the later place the locomotive came in contact with a freight train, causing a violent shock, which threw the gentlemen who had charge of the papers from the car, and seriously bruised him. The hands were all injured, but not seriously. By this unfortunate accident the Express was detained two hours, but, notwithstanding, it reached Norwich at half past 12, a distance of 104 miles in 2½ hours running time.

From Norwich to this city 135 miles, the Express was brought by the steamer *Norwich*, Capt. Elliott, chartered for the occasion. She showed her spirit by screwing her steam "to the sticking point," and driving through the Sound at the rate of 16 to 18 miles per hour. An extraordinary excitement prevailed along the whole line of the Express. The depots and public places along the railroad were thronged to see it pass. When the boat left Norwich nearly the whole city gathered on the dock to cheer her on her way. As she came down the river she was saluted by the ringing of bells and firing of cannon.

When she reached this city a couple of our incomparable compositors had already put the news in type on board of her, and it was ready for the press.

Too much praise cannot be awarded to Adams & Co., of the express Line, for their faithful and persevering efforts to forward this enterprise. Mr. Farnsworth, of that firm, had the management of it, and to his spirit and energy we are largely indebted for its triumphant success.—*N. Y. Sun.*

**Treasury Notes.**

*Treasury Department, }*  
*July 3, 1841. }*

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840,  
\$26,681,337 53

Redeemed of those issues ..... 23,914,409 40

Leaving outstanding the sum of..... \$3,766,928 13

Issued under the act of Feb. 1841, viz.  
Prior March 4, \$673,681 32  
Since March 4, 4,049,349 70

—————4,723,041 02

Redeemed of that issue ..... 144,264 02

Leaving outstanding, ————— 4,578,767 00

Aggregate outstanding on the 1st instant.. \$8,345,695 13

**T. EWING,**  
Secretary of the Treasury.

**Population of Pennsylvania, 1830--40.**

The following table shows the population and comparative increase of each county in the State at the Census of 1830 and 1840. In a future number we will furnish a similar view of some of the principal cities and towns.

Counties.	1830.	1840.	Rate of increase p. ct.	
			1830 to 1840.	1820 to 1830.
Clearfield .....	4,803	7,824	63 1-10	105
Clinton .....		*8,323		
Columbia .....	20,059	24,267	20 9-10	14
Crawford .....	16,030	31,724	97 8-10	70
Cumberland e ...	29,226	30,953	5 8-10	24
Dauphin e .....	25,243	30,118	19 3-10	17
Delaware e .....	17,323	19,791	14 2-10	17
Erie .....	17,041	31,344	83 4-10	98
Fayette .....	29,172	33,574	15	7
Franklin e .....	35,037	37,793	7 8-10	10
Greene .....	18,028	19,147	6 2-10	16
Huntingdon ....	27,145	35,484	30 6-10	35
Indiana .....	14,252	20,782	45 8-10	60
Jefferson .....	2,025	7,253	258 1-10	261
Lancaster e .....	76,631	84,203	9 8-10	12
Lebanon e .....	20,557	21,872	6 3-10	21
Lehigh e .....	22,256	25,787	15 8-10	19
Luzerne .....	27,379	44,006	60 7-10	36
Lycoming .....	17,636	22,649		30½
Mercer .....	19,729	32,873	66 6-10	69
Mifflin }	21,690	{ 13,092 }	11 3-10	{ 30
Juniata }		{ 11,080 }		{
Monroe e .....		†9,879		
Montgomery e ...	39,406	47,241	19 8-10	10
McKean .....	1,439	2,975	106 7-10	97
Northampton e ..	39,482	40,996		
Northumberland .	18,133	20,027	10 4-10	18
Perry e .....	14,261	17,096	19 8-10	26
Phila. city e ....	80,462	93,615	16 4-10	38
Phila. county e ..	108,305	164,372	51 7-10	
Pike e .....	\$4,843	3,832		66
Potter .....	1,265	3,371	166 7-10	580
Schuylkill e .....	20,744	29,053	40	83
Somerset .....	17,762	19,650	10 1-2	27
Susquehanna ...	16,787	21,195	26 3-10	68
Tioga .....	8,978	15,494	72 1-2	125
Union .....	20,795	22,787	9 1-2	12
Venango .....	9,470	17,900	89	86
Warren .....	4,679	9,278	98 3-4	138
Washington ....	42,784	41,279		7
Wayne e .....	7,663	11,848	54 1 2	85
Westmoreland ..	38,400	42,699	11 1-10	25
York e .....	42,859	47,010	9 6-10	10
	1,348,203	1,724,033	27 8-10	

The counties marked e, are in the Eastern District, the others in the Western.

\* New county from Centre and Lycoming.  
† New county from Northampton and Pike.  
‡ Including seven townships (population in 1830, 6,764) now in Monroe county. In the remaining townships making the present Northampton county, the population has increased 25½ per cent. since 1830.

§ Including these townships now part of Monroe county.  
Clarion county (new) is included in Armstrong and Venango. Washington county is the only county in the State which has diminished in population during the last ten years without losing territory—why has this been the case?  
Eastern district ..... 755,484 908,644 20 2-10  
Western do ..... 592,719 815,389 37 5-10

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Counties.	1830.	1840.	Rate of increase p. ct.	
			1830 to 1840.	1820 to 1830.
Adams e .....	21,379	23,044	7 9-10	10½
Allegheny .....	50,552	81,235	60 6-10	45
Armstrong .....	17,701	28,365	60 2-10	70
Beaver .....	24,183	29,368	21 3-10	56
Bedford .....	24,502	29,335	19 7-10	21
Berks e .....	53,152	64,569	21 4-10	15
Bradford .....	19,746	32,769	65 9-10	70
Bucks e .....	45,745	48,107	5 1-10	21
Butler .....	14,581	22,378	53 4-10	44
Cambria .....	7,076	11,256	59	115
Centre .....	18,879	20,492		36
Chester e .....	50,910	57,515	12 9-10	15

# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

VOL. V.

PHILADELPHIA, WEDNESDAY, JULY 14, 1841.

No. 2.

## Sketches of the First Settlements in Kentucky—No. 1.

To the Editors of the Louisville Journal:

A controversy has lately taken place, as to the first permanent settlement in Kentucky, which I deem it my duty to elucidate, as far as the facts, which I have long since collected, in relation to the subject, will justify. After a laborious investigation, it has been my settled opinion for more than thirty years, that *Harrodstown* (now Harrodsburg) was *permanently occupied in March, 1775*, and *Boonsborough* in the month following (April.) There may be some dispute as to the nature and extent of the occupations; but, according to the simple facts, I think there can be no doubt, when connected with the events of 1774; from which time Harrodsburg was *really occupied*. But if the building of nineteen or twenty houses, and occupying them, as well as raising corn and vegetables for five or six years, is a settlement, then neither Harrodsburg nor Boonsborough can claim the palm of primogeniture. It belongs to the French who built a small town on the Kentucky shore of the Ohio, opposite the mouth of the Scioto, as early as 1755, as will be seen hereafter. But, if we confine the question to the English or Saxon race, a simple statement of facts will be sufficient to settle it. I have now before me the historical sketches and narrations of McClung, Metcalfe, and Flint, also a letter written by my worthy friend Nathaniel Hart, of Woodford county, Ky., and, in comparing their statements with each other, I observe a material difference in dates, while the general facts are stated tolerably correctly. Finding that I could not harmonize their statements with the proper dates, I turned to some old Journals in my possession, and notes taken in personal conversations with General Ray, Capt. Chapline, Williams, Sadowsky, (or Sandusky) and my uncle James McAfee about the years 1804, '5, and '6, when I had a lawsuit of my own on hand, and was also engaged in another which involved the dates of the first occupation of Harrodstown, and my own residence on Salt river. From these early records and conversations I have gathered the following statements, which I believe to be true.

In the years 1769, '70 and '71, Daniel Boon, his brother, Squire Boon, and John Stewart, came to Kentucky as hunters; the former remaining in the country part of the two last years. But no attempt was made by Daniel Boon or any other person to make permanent settlements in Kentucky, until the months of May and June 1773. The statement made by some writers that Boon attempted to move his family to Kentucky in September, 1771, is incorrect as to date: it was in the year 1773, and failed, as I will hereafter show.

In the months of May and June, 1773, Capts. Bullitt, Douglass and Hancock Taylor, three surveyors, descended the Kenawha, with a number of men who had served against the French provinces previous to the peace of 1763, for the purpose of surveying what was called *proclamation right* for the officers and soldiers engaged in that war. The McAfee company consisting of James, George, and Robert McAfee, and James McCown and Samuel Adams, who had left their homes in Bottetourt county, Virginia, for the same purpose, united with these surveyors and their companies, about twenty miles above the mouth of the Kenawha, on the 29th May, and proceeded with them to the Ohio river, in five canoes and a batteau where they found five Delaware

Indians, with their families, going down to the falls for the purpose of hunting. The company remained at the mouth of the Kenawha until the 1st of June, when Capt. Bullitt, with three of his own men and those of the Delaware Indians, crossed the Ohio to go to Chillicothe on the Scioto in order to have a good understanding with the Shawnee and Delaware Indians. The balance of the company proceeded down the Ohio, examining the land and creeks from the mouth of Big Sandy down to the mouth of the Scioto, where they arrived on the 11th of June, and were joined by Capt. Bullitt and his men on the 13th they having come down the Scioto in a canoe. The captain reached Chillicothe on the 5th of June, and was received with great pomp and apparent hospitality. Being detained several days in a wigwam in the suburbs of the town, he was at length marched up to the council-house by about 115 warriors, and made his speech on the 9th of June; and on the next day received a friendly answer. The Indians had no objection to the whites settling and cultivating the land, but reserved to themselves the right of hunting on it. I have copies of these papers, and a letter from Richard Butler, a white man who lived among the Indians, explaining to Capt. Bullitt the views and feelings of the Indians at that time, which will explain the causes of future hostility. James McAfee and Robert McAfee, in their journal, say: "At the mouth of the Scioto, on our side of the Ohio, (Kentucky side,) there is a small town of nineteen or twenty houses completely built, some of square logs, (hewed,) and clapboard roofs, with good doors, windows and chimneys, and some cleared ground, which appear to have been built by the French during the last war. After Capt. Bullitt rejoined the company, they proceeded down the Ohio to the mouth of Licking, which was explored by Robert McAfee thirty or forty miles up. Here Mr. Douglass remained behind, to make some surveys, and Capts Bullitt and Taylor, and their companies, went on to the Big Bone lick, where a Delaware Indian, apparently upwards of 70 years old, in answer to a question put by James McAfee, observed that the bones were "just so" when he was a boy, and he knew nothing of the animal to which they belonged. Isaac Hite, another surveyor who had embarked at Pittsburg, or Fort Pitt as it was then called, overtook Bullitt near the mouth of the Big Miami. During the 4th and 5th days of July they remained at the Big Bone lick.

At the mouth of the Kentucky, (or *Levisa* as written in the McAfee journal) river, Capt. Bullitt and his company parted with the McAfee company and Hancock Taylor on the 8th of July; Capt. Bullitt intending to go on to the falls, and Hancock Taylor and the McAfee company to ascend the Kentucky river into the interior. On the 9th of July they arrived at Drennon's lick, where they found John Drennon and Martin Bracken, who had anticipated them two days by crossing the country the day before they reached the mouth of the Kentucky. This was ever afterwards considered in no favorable light by the balance of the company. At Drennon's lick there were thousands of Buffaloes, deers and elk, and many bears, wolves, eagles and other birds of prey; for miles round the land was swept of grass; and the buffalo roads were described by James McAfee to be as large as the road leading to Williamsburg, Virginia. Here James McAfee and Samuel Adams encountered a perilous adventure in passing round the outskirts of the lick. A gang of nearly five hundred buffaloes became alarmed, and commenced running towards where they stood; there was no turn-

ing them. Adams had barely time to scamper up a leaning mulberry, and McAfee behind a tree about two feet in diameter, and there by close pressing side ways, the horns of the buffaloes scraping the bark on each side, he stood until the storm was over, while Adams hung on the mulberry like a *coon*, closely eying his friend to whom he could afford no relief. This incident furnished many an evening's amusement to them and their friends. From Drennon's lick they pursued a south-east course, along the buffalo road, and crossed the Kentucky river below where Frankfort now stands, at the place where the dam and lock are now built, and proceeded up the branch to a fine spring, where they hid a fish-gig, and tomahawk, at the root of a gum tree, (the same spring I expect, from which the town of Frankfort is now watered.) Thence, passing down the valley leading to the present penitentiary, Robert McAfee had six hundred acres of land surveyed, including the whole town of Frankfort, and all the flat marsh land, which was afterwards converted into a valuable meadow by the Hon. John Brown. This was on the 16th day of July, 1773, and was the first survey ever made on the Kentucky river.

The company then took the ridge which leads out towards Lexington and Versailles; but, apprehending a scarcity of water, they turned to the river and crossed it about seven miles above, and proceeded up to the Cove spring, now on the turnpike road leading from Frankfort to Harrodsburg, in the upper end of Henderson county where Major Lillard formerly lived. Here they encamped the 19th, 20th, and 21st of July, and found Salt river (which they called Crooked creek) about three west, and went down to the mouth of Hammond's creek, where they commenced surveying four hundred acre tracts of land for themselves and friends, and cutting down brush wood and piling it, as well as deadening timber on their several tracts. The company continued to survey the river up to where Wilson's station was afterwards built two miles above where Harrodsburg now stands. The company stopped at the mouth of the Harrodsburg branch on the 29th, and platted their several surveys; and on the 30th made two more surveys. On the 31st July (Saturday) the surveyor, Mr. Taylor, started for the Falls of Ohio with two men of his company, and the McAfees started to go up the Kentucky river home, and passed over a part of the Harrodsburg tract of land, and lay that night under the cliffs of Dick's river, about four miles above its mouth. They proceeded up the Kentucky river and along its middle fork, crossing the Cumberland mountain to Powell's valley. In this route, which they accomplished in sixteen days, they suffered hunger, starvation and fatigue, until one of the brothers, George McAfee, was exhausted, and was saved by the killing of the only deer they had seen for a week. In their route home they met Boon, preparing to move his family to Kentucky, with forty other individuals. This party was attacked by the Indians, and Boon's eldest son killed, which defeated the enterprise, and Boon returned to his former residence on Clinch river. I have been more minute than I intended in the foregoing remarks, which are chiefly taken from my father's and uncle James McAfee's journal, and may satisfy the curious who may wish to know the precise route by which the first surveyors and adventurers approached the interior.

1774.—This year a more vigorous attempt was made to settle in the interior of Kentucky, especially on Salt river, and in the vicinity of Harrodsburg. Captain James Harrod, William Fields, James Brown, John Cowan, Jared Cowan, Abraham Chapline, Azariah Davis and others, making thirty-one in all, came down the Monongahela and Ohio to the mouth of the Kentucky river, in the month of April, and ascended the Kentucky river in canoes to the mouth of a creek called *Landing run*, in the lower end of the present county of Mercer, and east of the village of Salvisa, thence across to Salt river near McAfee's station, and up the river to *Fontaine Blue* and to the place where Harrodsburg now stands. This company was followed, in two or three weeks afterwards, by eleven others, consisting of Capt. David Williams, James Sandusky, and others; making in all forty-two men. Capt. Harrod and his party encamped at the Big spring, on the east of the place, where it was agreed to lay off a

town. They then explored the land in every direction.—Harrod soon found what he called the Boiling spring, six miles south of Harrodstown, where he cut down brush and made his improvement, and where his widow now lives.—But the Big spring was their rallying point. An acre of ground was cleared at *Fontaine Blue*, (a large spring, three miles below Harrodsburg,) and corn planted. A cabin was built on Salt river, where my mill now stands, and Harrod's company, after they were joined by Williams and his men, agreed to lay off a town at their camp, giving each man a half acre lot, and a ten acre out lot; which was done, as near as I could ascertain from Capt. Chapline, on the 16th of June. And, what is remarkable, Col. Daniel Boon, under the orders of Gov. Dunmore, coming to this camp, on his way to the falls to warn the surveyors of their danger from the Indians, had one lot laid off for himself adjoining a lot for a man by the name of Hinton, who soon after, with four others, built each a good cabin. The cabin built by Hinton was afterwards known as Hinton or Boon's cabin. These cabins stood on the south side of the town branch, near where Archibald Woods now lives, and about one hundred and twenty yards below the town spring, and were occupied as a common rallying point until the tenth of July, when the Indians fired upon a party of this company, killing Jared Cowan at *Fontaine Blue*, and the whole company at that time left the country. Thus we find Boon at Harrodsburg, in June 1774, taking part in the town then laid out into lots, upon which four or five cabins were built. It may, however, be denied that this was a permanent settlement, as the whole company left the country. But surely the building of houses and occupying them for a time constitutes a settlement, even if temporarily left with the professed design of returning; which was the case, as will be seen by the concluding narrative of the next year's operations, which will finally test the priority of settlement.

1775.—In the latter part of February, 1775, the McAfee company, with the addition of William McAfee and Samuel McAfee, two other brothers, and David Adams, John Higgins, and Sevier Poulson, again left Bottetourt county, (in Virginia,) and came to Kentucky by Cumberland Gap, along the trace marked by Boon in 1774, when he came to the country to warn the surveyors of the expected Indian hostilities. They arrived at James McAfee's spring on the 11th of March, passing Harrodstown; and on the fourth day afterwards (the 15th) Capt. Harrod and his company again came to McAfee's camp, on their way to Harrodstown. In this company were nearly all the former men and several others, and Harrodstown was again occupied about the middle of this month. Robert, James, and Samuel McAfee cleared two acres of ground at James McAfee's spring, putting a brush fence round it, and planted apple seed for a nursery and peach stones which they had brought with them for that purpose. Robert McAfee, my father, planted the same on the place where I now live; and I well recollect eating apples and peaches from these trees many years after. Some of these peach trees were alive in 1792, and I have two apple trees of this original stock, which are yet flourishing and bearing apples every year. George McAfee and Wm. McAfee cleared several acres at a spring near the town branch, a few hundred yards south of Mr. Jos. Morgan's, and about a mile from Harrodsburg. This company left Harrodstown about the 10th of April, leaving John Higgins and Sevier Poulson to plant some corn, and look after their land, so as to warn others from interfering with them; they were to remain in Harrodstown and at the cabin built on Salt river, which was covered with bark for that purpose.—Higgins and Poulson staid till June, and then returned with Hogan, Denton, and others, who were returning for their families. In September, 1775, James and John McConn, David Adams, and John Higgins having previously returned to Bottetourt, returned to Salt river, with forty head of cattle, which they drove with them to James McConn's land, one mile below J. McAfee's station, and remained all winter, and until June, 1776, clearing fifteen acres of ground, and planting the whole in corn.

But we must now return to Col. Boon and the settlement of Boonsborough. Some narratives place Boon's arrival at



Boonsborough on the 20th of April. Mr. N. Hart fixes the 1st of April, which is still posterior to the settlement at Harrodsburg. Gen. Ray states that when he arrived on the 8th Sept. 1775, there were only four old soldiers in the cabins. Well, these were enough to keep a garrison, while others were hunting and improving their lands on Salt river, or returned after their families to the settlements on Clinch river, and in Powell's valley. Indeed, Boon himself was gone after his wife and family, and returned in company with McGary, Hogan, and Denton, and their wives, who very probably arrived at Harrodstown as soon as Boon could get to Boonsborough; and it is certain that Mrs. McGary, Hogan, and Denton all reached Harrodstown, on the 8th day of September. It is also true that upwards of forty men were at that place and in its vicinity from the middle of March before; and the next fall afterwards (1776) Col. Powell and his family, McDonald and his wife, (afterwards Mrs. Harrod,) and a Mr. Wilson and his wife, with several others not named, arrived at Harrodsburg or town, and soon after Col. Ben. Logan and his wife, as Logan had been out the fall of 1775.

But let us examine the case of Col. Boon candidly. On the 17th of March, 1775, he was at the treaty of Henderson with the Cherokees, by which he purchased the land south of the Kentucky river. This treaty was held at Watauga; and in order to enable Boon to reach Boonsborough on the 1st of April, with twenty men, and re-mark and cut out the marked way, Mr. Hart starts Boon from the treaty ground. Others who have narrated this matter say, with much more reason, that he had to return home, (which, it is true, was not much out of the way,) and collect his men. This would take several days, and the progress of Boon and his company would be necessarily slow. According to the most reasonable calculation, it would be some time in April before he could reach Boonsborough, even without molestation. But Mr. Hart here introduces a letter from Col. Boon to Col. Henderson, dated the 1st of April, who, he says, was only fifteen miles from Boonsborough. This letter is either erroneous in its date, or there could not have been two attacks on Boon and his road-cutters, with the loss of several men each time, without retarding his progress greatly. But the truth is, that the years 1773 and 1775 were years of peace with the Indians of the north and south. We have proved this by the progress of the surveyors and the several companies through the country. The year 1774 was a year of war, after the first of July. The battle of Gen. Lewis at the point was fought on the 10th October, 1774, and soon after the Shawnees and Delawares made peace, and no new disturbances took place until the fall of the year 1775.—Henderson had just concluded a treaty with the Cherokees, and of course there were no Indians in a state of war at this time. This was the reason why so many adventurers came to Kentucky in 1775; and it will be seen that nearly all the settlements and pre-emptions were granted for improvements made in 1775, or early in 1776.

But there are other facts connected with this matter.—Mr. Hart gives a letter, dated the 21st of April, near Cumberland Gap, from Col. Floyd to Col. Preston, taken on by James McAfee. This is correct, and proves that Col. Harrod and his company arrived at Harrodstown before the McAfee company left that place on the 10th of April. But, three days before the date of this letter, the McAfees met Henderson at a creek called Scag's creek, a branch of Rockcastle; and Henderson persuaded Robert, Samuel, and Wm. McAfee to go with him to Boonsborough and enter land, and they went with him, and Robert McAfee was the sergeant-at-arms of this celebrated convention on the 23d of May, 1775. There was no attack of Indians spoken of; and when Henderson reached Boon, he had but two cabins up and covered. But, even supposing this letter to be correct as to date, it proves that Boon, on the 1st of April and while fifteen miles from the Kentucky river, where Boonsborough was established, had heard of the *previous* arrival of Harrod and the McAfee company at Henderson, and on Salt river; because he says: "I have sent a man down to all the *lower companies*, in order to gather them at the mouth of Otter creek." This creek empties into the Ken-

tucky river nearly opposite Boonsborough. Thus Boon himself is a conclusive witness in favor of the priority of the occupation of *Harrodstown*; and when Henderson and the McAfees arrived, they could give him full information upon the subject. Thus I have given a succinct account of the first settlement of Harrodstown or Harrodsburg. In the month of September and October, McAfee's, McGary's, Hogan's, Boiling Springs, and St. Asaph's were all occasionally occupied; and the former was, the whole winter and until June, 1776, by five men, with forty head of cattle, when the Indians again began to annoy the settlers openly.

There is another material error Mr. Hart has fallen into, viz: that Boon, immediately after his arrival, built a *fort and stockaded it in*. This is a mistake, not only as to Boonsborough, but as to Harrodsburg also. Neither of these places had a regular stockade fort until February or March, 1776, because there were but few acts of hostility (except stealing horses) perpetrated in the year 1775 by the Indians. This fact, as to Boonsborough, is proved by Mrs. Elizabeth Thomas, (a daughter of Col. Payne, and the widow of Capt. Jno. Thomas, the first surveyor of Mercer county,) who is yet alive and in the enjoyment of all her mental energies. She came with her father and Col. Calloway, the last of September, 1775, and well recollects the situation of Boonsborough at that time. There were not more than four or five houses built contiguous to each other, and Mr. N. Hart had built his house some considerable distance from the others; and in this condition was Boonsborough when she left, in February, 1776. And such also was the condition of Harrodsburg when she arrived there.—When McGary and the families who came with him arrived at Harrodstown, he selected a hill, on the west border of the town of 1774, (where the old square was laid off on account of a spring which ran out immediately below a rocky bluff bank,) for a fort. Here he built his house, and also one for Denton. Col. Harrod also built one, and three others; but one family lived in one of the cabins built in 1774, about three hundred yards east of McGary's and Harrod's establishments. In this condition Mrs. Thomas found the place in February, 1776; but it was stockaded shortly afterwards, as Gen. James Ray, on the fifth of March afterwards, was driven from Shawnee springs by the Indians, who killed his brother and took another man——prisoner. The men worked nearly all that night, putting up pickets, and on the next day the Indians attacked the town, barely giving time to a man by the name of Hugh Wilson to escape to the fort. They soon after set fire and burnt the cabins built in 1774. The Indians were repulsed, after hovering round for two days.

Mrs. Thomas also affirms that the first child born in Kentucky was born at Harrodsburg, and was called Harrod Wilson. Thus I have given a detailed account of the settlements at Harrodsburg and in its vicinity, which, with Boon's own letter as introduced by Mr. Hart, shows that Harrodsburg is entitled to the honor of priority of settlement. Although it is conceded that Mrs. Boon and her daughters were the first white females who stood upon the banks of Kentucky, and Mrs. McGary, Denton, and Hogan the first white women on Salt river, what gave Boonsborough notoriety was the fame of Col. Boon, and Henderson's making it his head-quarters in 1775. Yet soon after, in the spring of 1776, we find the latter at Harrodsburg with his land-office, as shown by Mr. Hart himself; and after the siege of Boonsborough, in 1778, you scarcely hear much more of that place, as it sank into obscurity, being inconvenient in location and out of the way for general resort. The commissioners who granted settlement and pre-emption claims met in October, 1779, at Harrodsburg, which was for many years afterwards a place of general rendezvous.

But there is another consideration which has given to many an idea that Boonsborough was the first settled place, which is, that everything connected with Boon and Henderson has been long since published by historical writers, while the scenes around Harrodsburg have been permitted to live and die with the early adventurers, except so far as I have preserved them from the mouth of James McAfee, General Ray, Capt. Chapline, and Capt. David Williams, with whose

brother I had a long and expensive lawsuit which made it necessary for me to inquire into the dates of all the early settlements at and near Harrodsburg. The many depositions taken during the progress of this suit, aside from the notes of historical events of those days which I could give, prove nearly everything I have stated on oath. I shall probably extend the sketches of events, in another number, to a few years later, but enough is now given to settle the question of priority of the settlement in the interior.

Louisville may set up some claims, as Captain Bullitt was there in 1773, say June 12th, and it became a principal point of landing; but I do not believe that any house was built or permanent settlement made there until after, or late in the year of 1775, on account of its contiguity to the Indian country. But of this I will not speak, as my inquiries have not extended to that place. It, however, became a place of great resort soon after 1775.

As some curiosity has been excited as to the time Col. Ben. Logan came to Kentucky, I have made some inquiry; and my information, is that he came out in company with others, late in the fall of 1775, and marked and improved a place called St. Asaph's, near Stanford; that he returned to Holstin, or Clinch, and married, and moved to Kentucky in the spring of 1776, stopping a short time at St. Asaph's, but soon after moved his wife to Harrodsburg, where they remained that year, and then went back to St. Asaph's the fall of 1776, or spring of 1777. But of this I cannot speak as I can of my own family and relations.

With high respect, I am your obedient servant,

ROB'T. B. McAFEE.

P. S. It may be necessary to notice the dispersion of Harrod's company in July, 1774, after Jared Cowans was killed at *Fontaine Bleu*, in order to account for Jacob Sandusky's descending down the Ohio and Mississippi to New Orleans. When Cowan was fired on, he was drying some papers in the sun. He had Sandusky and three others in company with him. Cowan was killed on the spot. Sandusky and two of the men escaped, and took the woods for Louisville, not knowing but all the others had been killed. The other man fled to Harrodsburg, and gave the alarm.—Col. Harrod, Capt. Chapline, and a large party went down to see what had been done, and found Cowan, and buried him. His papers had been scattered about. They then returned to Harrodsburg, and collected their company together, as some were out hunting and making improvements, and then returned to their homes by the Cumberland gap, while Sandusky and his companions made the best of their way to New Orleans.

R. B. M.

### Credit and Resources of New York.

We think it important to keep the facts and figures upon this subject before the people, so that they may understand their true position. We are indebted to the Albany Argus for a condensed statement of our financial condition for a series of years, which shows how little we have to encourage us to proceed swelling our State debt to forty or fifty millions, with a hope of paying the interest by any other means than direct taxation.

In the following statement all the ordinary receipts and expenditures on account of all the finished canals, as well as the receipts and payments for the support of the government, are brought together, and the surplus remaining after paying all demands, is shown in a separate column. This table exhibits at one view the total amount of all the receipts and expenditures of the State Treasury:

	Revenue.	Expenditures.	Surplus.
1833	\$1,665,785	\$1,155,973	\$509,812
1834	1,641,234	1,234,663	406,571
1835	1,680,050	1,210,919	469,131
1836	1,848,098	1,227,538	620,560
1837	1,744,210	1,306,335	437,875
1838	1,787,716	1,481,040	306,676
1839	2,091,759	1,742,096	349,663
1840	2,068,184	2,105,657	

In 1840, instead of a surplus, there is a deficit of \$42,483. And this statement does not include \$54,000 borrowed to repair the Chemung Canal.

It will be seen by the foregoing statement, that while the revenues have increased from \$1,665,000 in 1833, to \$2,063,000 in 1840, the expenditures have increased from \$1,155,000 in 1833 to \$2,105,667 in 1840. And consequently the surplus, which in 1833 was more than half a million, has been entirely used up in 1840 by the increased expenditures.—[*N. Y. Sun.*]

### Prophecy Fulfilled.

We stated in our paper yesterday that Professor Espy promised us a small shower in the afternoon. Our readers are aware that his prediction was fulfilled to the letter, and the shower was not very small either. When we wrote down his prediction, which we did immediately after he told it to us, the sky was cloudless, and there was no appearance of rain, but in two hours afterwards, it poured down in torrents. We have not seen such a deluge of rain fall in the same space of time for many years. It was accompanied with vivid lightning and heavy thunder. We learn from the Courier that the Unitarian meeting-house in Medford was struck by the lightning and slightly damaged. About six o'clock there was a violent hail storm, which lasted, however, but a few minutes, but the hail stones were by far the largest we ever saw. We measured one which fell in front of our office, and found it two inches and a quarter in length and one inch and a quarter in diameter. Fortunately it was calm at the time, otherwise much damage would have been done.

During the shower a fish, called a squid, fell from the clouds on the Tremont road, about a quarter of a mile beyond the railroad crossing. Mr. Seaver, who does business in Hanover street was riding out of town in a chaise at the same time, saw it fall, stopped and picked it up. It was then alive. It measures nine inches in length. It is at Carter & Wilson's apothecaries' store, corner of Hanover and Portland streets, where we saw it this morning.

At Salem, as we learn from the Register, the storm was very severe.

A gentleman from Wenham informs us, says the Register, that the storm was very severe in that quarter, and that great damage was done to vegetation. A great quantity of hail fell, which lay in drifts after the storm was over. Some of the hail stones were an inch and a half in diameter. The wind was extremely violent, and many barns were blown down—our informant heard of ten, before he left. Large trees of all descriptions were torn up by the roots; and the storm is represented as the most destructive that has been experienced in that quarter for many years. In the house occupied by our informant, 225 panes of glass were broken—and in 5 of his windows not a pane was left. Many other houses in Wenham and vicinity have suffered in the same manner.

*Boston Transcript July 1.*

### Early Law of Massachusetts.

I was amused in looking over some of the old laws of Massachusetts in vogue in 1741. Their manner of choosing officers by ballot was ludicrous indeed. Here is the law.

"It is ordered by this court, and the authority thereof, that for the yearly choosing of Assistants, the Freemen shall use *Indian corn* and *beans*. The Indian corn to manifest election, the beans contrary. And if any Freeman shall put in more than one Indian corn or bean, for the choice or refusal of any public officer, he shall forfeit, for every such offence, ten pounds."

### Appointment by the President,

*By and with the advice and consent of the Senate.*

Brigadier General Winfield Scott, Major General by brevet, to be Major General, June 25, vice Major General Alexander Macomb, deceased.

**Officers of the United States.**

Messrs Editors:—I have taken the liberty to hand you the following list of principal officers of the Government of the United States, from its commencement under the Constitution, until the present time, which as a document for reference may be found useful.

J. H. R.

*Presidents.*

- 1789—George Washington, of Virginia.
- 1797—John Adams, of Massachusetts.
- 1801—Thomas Jefferson, of Virginia.
- 1809—James Madison, of Virginia.
- 1817—James Monroe, of Virginia.
- 1825—John Quincy Adams, of Massachusetts.
- 1829—Andrew Jackson, of Tennessee.
- 1837—Martin Van Buren, of New York.
- 1841—William Henry Harrison, of Ohio.
- 1841—John Tyler, of Virginia.

*Vice Presidents.*

- 1789—John Adams, of Massachusetts.
- 1797—Thomas Jefferson, of Virginia.
- 1801—Aaron Burr, of New York.
- 1805—George Clinton, of New York.
- 1813—Elbridge Gerry, of Massachusetts.
- 1817—D. D. Tompkins, of New York.
- 1825—John C. Calhoun, of South Carolina.
- 1833—Martin Van Buren, of New York.
- 1837—Richard M. Johnson, of Kentucky.
- 1841—John Tyler, of Virginia.
- 1841—Samuel L. Southard, of New Jersey, President of the Senate and acting Vice President.

*Secretaries of State.*

- 1789—Thomas Jefferson, of Virginia.
- 1794—Edmund Randolph, of Virginia.
- 1795—Timothy Pickering, of Massachusetts.
- 1800—John Marshall, of Virginia.
- 1801—James Madison, of Virginia.
- 1809—Robert Smith, of Maryland.
- 1811—James Monroe, of Virginia.
- 1817—John Quincy Adams, of Massachusetts.
- 1825—Henry Clay, of Kentucky.
- 1829—Martin Van Buren, of New York.
- 1831—Edward Livingston, of Louisiana.
- 1833—Louis McLane, of Delaware.
- 1835—John Forsyth, of Georgia.
- 1841—Daniel Webster, of Massachusetts.

*Secretaries of the Treasury.*

- 1789—Alexander Hamilton, of New York.
- 1795—Oliver Wolcott, of Connecticut.
- 1801—Samuel Dexter, of Massachusetts.
- 1802—Albert Gallatin, of New York.
- 1814—George W. Campbell, of Tennessee.
- 1814—Alexander J. Dallas, of Pennsylvania.
- 1817—William H. Crawford, of Georgia.
- 1825—Richard Rush, of Pennsylvania.
- 1829—Samuel D. Ingham, of Pennsylvania.
- 1831—Louis McLane, of Delaware.
- 1833—William J. Duane, of Pennsylvania.
- 1833—Roger B. Taney, of Maryland.
- 1834—Levi Woodbury, of New Hampshire.
- 1841—Thomas Ewing, of Ohio.

*Secretaries of War.*

- 1786—Henry Knox, of Massachusetts.
- 1795—Timothy Pickering, of Pennsylvania.
- 1796—James McHenry, of Maryland.
- 1800—Samuel Dexter, of Massachusetts.
- 1801—Roger Griswold, of Connecticut.
- 1801—Henry Dearborn, of Massachusetts.
- 1809—William Eustis, of Massachusetts.
- 1813—John Armstrong, of New York.
- 1815—William H. Crawford, of Georgia.
- 1817—Isaac Shelby, of Kentucky, (did not accept the appointment.)
- 1817—John C. Calhoun, of South Carolina.

- 1825—James Barbour, of Virginia.
- 1828—Peter B. Porter, of New York.
- 1829—John H. Eaton, of Tennessee.
- 1831—Lewis Cass, of Ohio.
- 1837—Joel R. Poinsett, of South Carolina.
- 1841—John Bell, of Tennessee.

*Secretaries of the Navy.*

- 1789—George Cabot, of Massachusetts.
- 1798—Benjamin Stoddard, of Maryland.
- 1802—Robert Smith, of Maryland.
- 1805—Jacob Crowninshield, of Massachusetts.
- 1809—Paul Hamilton, of South Carolina.
- 1813—William Jones, of Pennsylvania.
- 1814—Benjamin W. Crowninshield, of Massachusetts.
- 1818—Smith Thompson, of New York.
- 1823—Samuel L. Southard, of New Jersey.
- 1829—Jno. Branch, of North Carolina.
- 1831—Levi Woodbury, of New Hampshire.
- 1834—Mahlon Dickerson, of New Jersey.
- 1838—J. K. Paulding, of New York.
- 1841—George E. Badger, of North Carolina.

*Post Masters General.*

- 1789—Samuel Osgood, of Massachusetts.
- 1794—Timothy Pickering, of Massachusetts.
- 1795—Joseph Habersham, of Georgia.
- 1802—Gideon Granger, of Connecticut.
- 1814—Return J. Meigs, jr. of Ohio.
- 1823—John McLean, of Ohio.
- 1829—William T. Barry, of Kentucky.
- 1835—Amos Kendall, of Kentucky.
- 1840—John M. Niles, of Connecticut.
- 1841—Francis Granger, of New York.

*Chief Justices of the Supreme Court.*

- 1789—John Jay, of New York.
- 1796—William Cushing, of Massachusetts.
- 1796—Oliver Ellsworth, of Connecticut.
- 1800—John Jay, of New York.
- 1801—John Marshall, of Virginia.
- 1833—Roger B. Taney, of Maryland.

*Attorney Generals.*

- 1789—Edmund Randolph, of Virginia.
- 1794—William Bradford, of Pennsylvania.
- 1795—Charles Lee, of Virginia.
- 1801—Levi Lincoln, of Massachusetts.
- 1805—Robert Smith, of Maryland.
- 1806—John Breckenridge, of Kentucky.
- 1807—Cæsar A. Rodney, of Delaware.
- 1811—William Pinckney, of Maryland.
- 1814—Richard Rush, of Pennsylvania.
- 1817—William Wirt, of Virginia.
- 1829—John McPherson Berrien, of Georgia.
- 1831—Roger B. Taney, of Maryland.
- 1834—B. F. Butler, of New York.
- 1838—Felix Grundy, of Tennessee.
- 1839—H. D. Gilpin, of Pennsylvania.
- 1841—John J. Crittenden, of Kentucky.

[Baltimore Sun.]

**Exports of Mills Point.**

We have just received the first number of the *Commercial Herald*, a paper printed at Mills Point, a new town in Kentucky, where considerable trade is already carried on, as will appear by the following list of exports during the last seven months:—

- 1,070 hogsheads Tobacco,
- 240 bales Cotton,
- 4,875 sacks Corn,
- 216 barrels Flour,
- 39 bales Deer skins,
- 180 barrels Beef,
- 394 barrels Pork,
- 51 hogsheads Bacon,
- 310 kegs Lard,
- 125,000 pounds bulk Pork.

(Tables Continued from page 410, Vol. IV.)

Table of the highest and lowest rates of foreign exchange, and specie, at Philadelphia, in each year, from May 1825, to December, 1830.

Foreign Exchange and Specie.	1825.	1826.	1827.
Bills on London .....	4½ a 11 p.	7 a 13 p.	10 a 11½ p.
“ Paris.....	fr. 5 12½ a 5 32	fr. 5 17½ a 5 45	fr. 5 12½ a 5 25
“ Amsterdam.....	39 a 42 c.	39 a 41 c.	40 a 41 c.
“ Hamburg.....	34 a 36½ c.	35 a 36 c.	.....
American gold.....	2 a 3 p.	3 a 4 p.	4 a 5 p.
Sovereigns .....	.....	.....	\$4 80 a 4 85
Guineas.....	\$4 80 a 5 00	\$4 85 a 5 00	5 00
Spanish doubloons .....	15 50 a 15 80	15 50 a 15 70	15 50 a 16 25
Patriot doubloons .....	.....	15 10 a 15 20	15 20 a 15 40
Spanish dollars .....	par a 2 p.	par a ½ p.	par a 1 p.
Head pistareens.....	.....	20 c.	.....
Old pistareens .....	.....	18 c.	.....

Table Continued.

Foreign Exchange and Specie.	1828.	1829.	1830.
Bills on London .....	9½ a 11¼ p.	8½ a 10 p.	6 a 9¾ p.
“ Paris.....	fr. 5 10 a 5 17½	fr. 5 15 a 5 30	fr. 5 22½ a 5 42½
“ Amsterdam.....	40 a 42½ c.	39½ a 41 c.	38½ a 40 c.
“ Hamburg.....	.....	.....	.....
American gold.....	5 a 6 p.	3½ a 5 p.	2 a 4½ p.
Sovereigns .....	\$4 75 a 4 80	\$4 75 a 4 80	\$4 64 a 4 80
Guineas.....	5 00	5 00	4 85 a 5 00
Spanish doubloons .....	15 40 a 16 25	15 40 a 16 25	15 10 a 15 90
Patriot doubloons .....	15 15 a 15 40	15 15 a 15 30	15 00 a 15 35
Spanish dollars .....	par a ½ p.	par a ½ p.	par a ½ p.
Head pistareens.....	.....	.....	20 a 21 c.
Old pistareens .....	.....	.....	16 a 18 c.

Table of the highest and lowest rates of foreign exchange, and of specie, at Philadelphia, in each year, from January, 1831, to December, 1833.

Bills of Exchange and Specie.	1831.	1832.	1833.
Bills on London .....	6 a 10¾ p.	7 a 11 p.	5 a 9 p.
“ Paris.....	fr. 5 07 a 5 28	fr. 5 20 a 5 40	fr. 5 30 a 5 50
“ Amsterdam.....	39 a 41 c.	39 a 41¼ c.	39½ a 41 c.
“ Hamburg.....	.....	35 a 36 c.	34 a 35 c.
“ Bremen.....	.....	76½ a 80 c.	76 a 78 c.
American gold.....	2 a 6½ p.	3 a 6 p.	2¼ a 4 p.
Sovereigns .....	\$4 67 a 4 86	\$4 65 a 4 85	\$4 60 a 4 80
Guineas.....	4 85 a 5 06	4 90 a 5 06	4 82 a 5 00
Spanish doubloons .....	15 30 a 16 00	15 90 a 16 50	16 10 a 17 00
Patriot doubloons .....	15 00 a 15 60	15 20 a 15 60	15 20 a 15 80
Portuguese gold.....	— a 5 p.	3 a 5 p.	½ a 3 p.
Louis d'ors .....	\$4 30 a 4 45	\$4 35 a 4 45	\$4 30 a 4 40
Napoleons .....	3 75 a 3 83	3 75 a 3 83	3 70 a 3 80
Ducats.....	2 12 a 2 25	2 15 a 2 25	2 15 a 2 25
Ten guilders.....	3 85 a 3 95	3 85 a 3 95	3 80 a 3 95
Frederick d'ors.....	3 80 a 3 85	3 75 a 3 85	3 70 a 3 80
Spanish dollars.....	par a 1 p.	¼ a 1 p.	½ a 1½ p.
Head pistareens .....	20 a 21 c.	20¼ a 21 c.	20 a 21 c.
Old pistareens .....	16 a 18 c.	17 a 18 c.	17 a 17½ c.
French crowns.....	\$1 08 a 1 10	\$1 08 a 1 09	\$1 08 a 1 09
French half crowns .....	50½ a 51 c.	50½ a 51 c.	50 a 51 c.
Five franc pieces.....	93 a 94½ c.	93½ a 94 c.	93 a 94 c.
Dutch crowns.....	\$1 04 a 1 05	\$1 04 a 1 05	\$1 03 a 1 05
English silver.....	par a 2 p.	2½ p.	20 a 22 cts. per shilling.



Table of the highest and lowest rates of foreign and domestic exchange, and of specie, at Philadelphia, from January 1, 1834, to April 23, 1838.

Bills of Exchange and Specie	1834.	1835.	1836.	1837.	1838.
Bills on London .....	2 d a 8 p	7½ a 10 p	7 a 10½ p	7 a 21 p	8 a 12 p
“ Paris .....	f.5 30 a 5 65	f.5 20 a 5 45	f.5 22 a 5 35	f.4 80 a 5 32	f.5 15 a 5 35
“ Amsterdam .....	38 a 39½ c	38 a 40½ c	39 a 41 c	40 a 45 c	40 a 41½ c
“ Hamburg .....	33½ a 35 c	34 a 35¾ c	35 a 36 c	35½ a 47 c	35½ a 37 c
“ Bremen .....	.....	77 a 79 c	78 a 80¼ c	79½ a 87 c	80 a 81¼ c
“ Boston .....	par a ½ d	par	par a ¼ d	par a — d	— a 2 p
“ New York .....	¼ a — d	par	par	1 d a 1½ p	1¼ a 3½ p
“ Baltimore .....	¼ a ¾ d	par a ¼ d	par a ¼ d	.....	½ a 1½ d
“ Richmond .....	¾ a 1 d	.....	½ a 1 d	1 a 3 d	1½ a 4 d
“ North Carolina .....	2½ a — d	.....	.....	.....	.....
“ Charleston .....	1½ a 2 d	¾ d	¾ a 3 d	2½ a 5 d	2 a 7½ d
“ Savannah .....	2 a — d	¾ d	¾ a 1½ d	1½ a 3 d	2½ a 10 d
“ Mobile .....	.....	1 d	1 a 2½ d	2½ a 3½ d	6 a 18 d
“ New Orleans .....	1 a 6 d	1 d	1 a 1 d	2½ a 5 d	3 a 9 d
American gold .....	½ a 6½ p	6 p	6 a 7 p	6 a 18 p	7 a 11 p
do. (new coinage) .....	.....	.....	par a 1 p	½ a 12 p	3½ a 5½ p
Sovereigns .....	\$4 50 a 4 85	.....	\$4 84 a 4 90	\$4 84 a 5 60	\$4 95 a 5 15
Guineas .....	4 65 a 5 08	.....	5 03 a 5 08	5 03 a 5 65	5 10 a 5 18
Doublons, Spanish .....	15 40 a 16 75	.....	15 90 a 17 00	16 20 a 18 25	16 50 a 17 37
do. Patriot .....	15 25 a 15 55	.....	.....	15 70 a 17 50	15 90 a 16 40
Portuguese gold .....	2 a 6½ p	.....	6 a 6½ p	6 a 18 p	12 a 13
Dollars, Spanish .....	par a 3 p	.....	1 a 4 p	1 a 13 p	4 a 7 p
do. Mexican .....	.....	.....	par	par a 13 p	4 a 7 p
American half dollars .....	.....	.....	.....	par a 12 p	3 a 6 p
French crowns .....	.....	.....	.....	— a \$1 14	\$1 09
Five-franc pieces .....	93 a 93½ c	.....	93 a 94 c	93 a 1 05 c	96 a 98 c
Dutch crowns .....	.....	.....	.....	— a 1 12	\$1 07
Treasury notes .....	.....	.....	.....	.....	.....

A table showing the highest and lowest prices of bank notes at Philadelphia, from January, 1838, to December, 1840.

Banks of	1838.	1839.	1840.	Banks of	1838.	1839.	1840.
Maine .....	2½ d a par	¾ d a 3 p	2¼ a 5 p	Western Virginia ..	1½ a 4 d	1½ a 5 d	2 a 3 d
New Hampshire ..	2½ d a par	¾ d a 3 p	2 a 5 p	North Carolina ...	2 a 5 d	1 a 6 d	¾ a 3 d
Vermont .....	2½ d a par	¾ d a 5 p	2 a 5 p	South Carolina ...	2½ a 10 d	1 a 7 d	2 d a 3 p
Massachusetts .....	2½ d a par	¾ d a 7 p	2 a 6 p	Georgia .....	3 a 10 d	2½ a 10 d	1½ a 30 d
Rhode Island .....	2½ d a par	¾ d a 6 p	2 a 6 p	Florida .....	no sale.	no sale.	no sale.
Connecticut .....	1¼ d a par	¾ d a 8 p	2 a 6 p	Alabama .....	5½ a 20 d	2 a 15 d	2 a 10 d
New York city .....	3 p a par	par a 13 p	2½ a 7 p	Louisiana .....	2½ a 12½ d	par a 7 d	¼ p a 10 d
New York country ..	3 p a par	¾ d a 10 p	1 a 5 p	Mississippi .....	7½ a 30 d	5 a 15 d	15 a 80 d
Philadelphia .....	standard.	standard.	standard.	Tennessee .....	5 a 20 d	4 a 15 d	5½ a 10 d
Other Pennsylvania ..	3 d a par	par a 3 d	par a 3 d	Kentucky .....	2¼ a 6½ d	2½ a 5½ d	3 a 5 d
New Jersey .....	2½ d a par	1 d a 6 p	par a 5 p	Missouri .....	4 a 10 d	4 a 6 d	5 a 6 d
Delaware .....	par.	par.	par.	Illinois .....	2½ a 7 d	2½ a 6½ d	3 a 6 d
Baltimore .....	¼ a 1½ d	1½ d a par	par a 1 p	Indiana .....	2 a 7 d	2½ a 6½ d	3 a 6 d
Other Maryland ...	¼ a 3 d	½ a 2 d	½ d a par	Ohio .....	2½ a 6½ d	2½ a 6 d	3½ a 5 d
Dis. of Columbia ..	⅝ a 2 d	1½ d a par	1 d a ¾ p	Michigan .....	5 a 20 d	5 a 10 d	10 a 18 d
Virginia .....	½ a 3½ d	½ a 4 d	2 d a par	Canada .....	3½ a 10 d	3½ a 10 d	2 a 10 d

## Notes.

The New York and Natchez banks suspended specie payments on the 11th of May, 1837, and, as fast as the news spread east, west, north and south, the other banks suspended also.

In May, 1838, the New York banks resumed specie payments; and the New England banks immediately imitated their example. In August, 1838, the banks of Philadelphia professed to resume specie payments; and by the 1st of January, 1839, there was at least a nominal resumption of specie payments throughout the union.

On the 9th of October, 1839, the banks of Philadelphia again suspended specie payments; and their example was quickly followed by the banks to the South and West, (with the exception of Missouri,) and also by the banks of West Jersey and Rhode Island. The banks of Rhode Island soon resumed specie payments. The banks of Ohio professed to do the same. The Charleston S. C. banks resumed in July, 1840. All the other banks to the South and West of New York, (with the exception of the banks of East Jersey, and a few others scattered in different places, continued to refuse payment of specie on demand, in the latter part of the period embraced in this table.

The banks of New York and New England, generally, have continued to pay specie from May, 1838, up to the close of the period embraced in this table.

This table and the preceding ones may be said to give, generally the prices of the *best* paper of the *best* banks in each State and Territory.

## Fifth Annual Report

### *Of the Raleigh and Gaston Railroad Company.*

The Board of Directors on presenting their report at the last annual meeting, had the satisfaction of announcing to the stockholders the completion of the important work committed to their charge. This was true, in regard to the line of road itself, but many of the appendages and necessary fixtures were then unfinished. The smith-shop, ware-house, offices, &c., at the Raleigh depot, are yet but partially completed; and, in some respects, the original design of the improvements at this point has been for the present abandoned. The embarrassments of the company, and the total want of means applicable with propriety to such a purpose, induced the Board to prosecute these improvements no further than was absolutely necessary to preserve the buildings, and to fit them in some degree for their intended objects.—Some slight improvements, however, have been made on the road within the last fiscal year. A water station at the head of the Gaston plane, and a turn out at Stanton's, have been constructed, both of which were rendered necessary to the successful operations on the road, particularly under the existing arrangement for the transportation of the United States Mail. The first to afford a supply of water to the engines, after ascending a heavy grade of three miles; and the latter, to afford the means for the upward and downward mail trains to pass each other at the proper meeting point, without any delay. In addition to these, several small but substantial buildings have been put up on the road, at convenient points for the accommodation of the overseers and hands employed on the road, and for the residence of bridge watchers, one of whom is stationed at each of the bridges across Neuse and Tar rivers, and Cedar creek, and whose duty it is to pass over their respective bridges immediately after the crossing of every train, to extinguish the sparks or coals that may have fallen upon them. These men, being also engaged in mechanical employments, are obtained at very low wages, and the buildings which they occupy, as well as those erected for the use of overseers and hands, have been constructed out of the refuse railing upon the line, at a very trifling cost to the company. Several hands are now employed in erecting at the Raleigh depot, a suitable carpenter's shop, with a view to the manufacture of our own freight cars, which we hope in future to do at a much less expense than to procure them from abroad. We yet need, however, some additional machinery in the workshop to enable us to execute fully all the necessary repairs to the engines, some of which for the want of this machinery, we are now compelled to have done elsewhere at an increased expense.

In organizing a force for the repairs of the road during the year 1841, and in arranging the superintendence of the depots on the line, the strictest regard has been paid to economy, compatible with the objects to be attained. In some instances, particularly in regard to those depots of a more unimportant character, a considerable saving has been effected by a reduction in the salaries of the agents, and by otherwise placing the depots upon a different footing from the arrangement of last year, while no inconvenience or detriment to the business has been occasioned thereby. The number of laborers employed on the road the present year is forty-nine, being thirty-six less than were employed for the year 1840. And, although we have had a most unpropitious winter and spring for keeping the road in repair, yet the force employed has been found sufficient for that purpose, except at a few points where the nature of the ground is such as to render it impossible with almost any amount of force, in such an extraordinary wet season, to keep the cuts so free from water as to maintain a firm foundation for the superstructure of the road. These places, however, have improved rapidly for the last few weeks, and with a continuation for a short period of the efforts of the overseers with favorable weather, will soon be in their usual condition. A different plan from that of last year has been adopted for provisioning and clothing the laborers upon the road. By that arrangement, the owners of the slaves who mostly lived

near the road were required to furnish them with clothes and provisions, for which, including their services, we paid the sum of \$150 each per annum. Experience proved that under this plan much time was lost by the hands in procuring their provisions and clothes. By the existing mode, we furnish them with those articles, allotting to each overseer, at stated periods, a specific quantity, and making him responsible for the faithful and proper distribution of it. As the laborers are hired the present year at prices ranging from \$70 to \$90, and the price of provisions and materials for clothing are lower than usual, we think a considerable saving will be effected by the change. For a comparative view of the expenses paid and estimated, of the years 1840 and 1841, we respectfully refer to the accompanying statement, marked A.

On reference to the tabular statement herewith submitted, showing the amount of receipts from transportation for the years 1839-40 and 1840-41, it will be seen that the increase of the latter over the former is \$17,528 94, being about 33½ per cent. advance upon the receipts of the fiscal year, ending on the 1st of May, 1840.

The whole amount of receipts for the fiscal year, ending 1st of May, 1841, being.....	\$69,340 15
The expenses of transportation for same period, paid and estimated, are.....	38,000 00

Excess of receipts over expenditures,.....	<u>\$31,340 15</u>
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This excess would have been greatly increased, but for the almost total failure of the cotton and wheat crops of last year, as we could have done a much larger transportation with the same force, and without any increase of expenditure. This exhibit, though not as flattering as we could wish, is nevertheless, far from being discouraging. For, although the amount of receipts is small, compared with some other roads of older date and more commercial locations, yet it will be perceived that the expenses are also small, and bear a less proportion to the amount of receipts than any other road of similar construction and length, the reports of which we have had an opportunity to examine. This fact, we believe, is to be attributed in a great measure to the superiority of the engines used on the road, and the care and vigilance observed by the superintendent of transportation in their management, preservation and repair, whereby the expenses usually incident to this department, are much lessened. Indeed, we think it doubtful whether an instance can be found in the history of railroad operations, where so large an amount of transportation has been done with the same number of engines, at so small an expense for repairs—the whole during the year, not exceeding the sum of \$2,016 00.

The mode of conducting our transportation, in connexion with the Greenville and Petersburg roads, which was in use at the date of the last annual report, still continues; no permanent arrangement of a different character having as yet been adopted. Indeed, we are not sure that any other plan would work better than the one now used, if it were fairly and in good faith carried out. The indiscriminate use of the freight cars of the different companies on all the roads, with a distinct understanding that each shall be furnished at all times with its due proportion, as near as may be, will save the trouble, expense and risk of the transshipment of produce and goods at Gaston, and will also tend to facilitate greatly their passage both ways. There are, nevertheless, objections on our part, to this plan, some of which were pointed out in the last annual report, and may be briefly recapitulated. Our road and cars being new, there is less liability of damage and loss, either to cars, goods or produce, in passing over it, than over one which has been several years in operation. Another difficulty is in ascertaining with certainty in case of goods or produce being lost or damaged, on which of the companies the responsibility should rest. This, however, has been in some degree obviated, by our stationing an agent at Gaston; who, in conjunction with the agent of the Petersburg company, examines every car when passing that point, compares its contents with the bill of lading, and certifies the result. Another plan which tends

greatly to the protection and security of light and valuable packages, is the introduction of box cars—several of which have been constructed by the Petersburg company, and are so arranged with bars and locks, as to make it almost impossible to abstract goods from them. The locks are all of the same kind, and each agent at the depots is furnished with a key, so that on the arrival of the cars, he can unlock them, and take out such articles as are intended for his depot, lock them again, and forward them to the next designated point.

You are already aware that the successful completion of the Road was accomplished, in some degree, by the great personal exertions, and to some extent, the personal responsibility of those then charged with its construction and management—though not without the imperative necessity of creating a heavy debt on the credit of the Company. To pay this debt, and at the same time maintain the operations on the road unimpaired, presented a question of the deepest importance, and most serious concern to the Board. It became apparent, soon after the adjournment of the last annual meeting, that the road could not be sustained and the debt paid, without aid from some quarter. The general embarrassments of the country, precluded all hope of obtaining this aid from the Stockholders, or by additional subscriptions for Stock. Under this view of the subject, the President was directed to call a general meeting of the Stockholders, on the 15th of October last. At this meeting, after a full discussion of the question, resolutions were adopted authorizing and requesting the board of Directors to apply to the ensuing Legislature of the State for aid in such manner, and on such terms as they might deem most expedient. In compliance with the authority thus given, the board, after the meeting of the Legislature, sent in a respectful memorial to that body, setting forth the embarrassments of the Company, and asking aid from the State, by an additional guarantee of the Company's bonds to the amount of \$300,000. Those only, who were present on the occasion, can know anything of the difficulties which beset us at every step of our progress through the Legislature. Finally, however, we succeeded in obtaining the passage of an Act, a copy of which has been furnished to each Stockholder, and the provisions of which, though rigorous in the extreme on the Company, have since been complied with. We regarded it as the only alternative left us, whereby we might be enabled to pay our debts, sustain the Road, and secure those benefits which its perpetuation is calculated to produce.—That portion of the Act above referred to, which presented the greatest difficulty to a compliance with its terms, was the provision requiring the Stockholders, or other solvent persons, to give their individual bonds to the State for the loan of \$500,000 obtained on the guarantee of the State under the act of 1838 '9. Although the requirements of the act have been fairly, and in good faith complied with; yet, owing to the limitation of the period to four months, within which it was required to be done, we were necessarily obliged to close the arrangement in such a way as will preclude the Company from the use of a part of the new guarantee for some time to come. That portion, however, which can now be made available, will, we hope, afford substantial relief not only to the Company, but to many of our creditors, most of whom have hitherto been exceedingly indulgent and forbearing.

Notwithstanding the many difficulties with which we have had to contend, and the unfounded prejudices which have sprung up in some places against the road, we can see no reason for despondency. On the contrary, there is every reason to hope that when the present embarrassments of the country shall have passed by, followed as we believe they will be, with a reasonable degree of prosperity in all the departments of business, the road, necessarily partaking of the reviving influences of that prosperity, must become permanently established, and its usefulness and importance universally acknowledged. It is known to most of you, that when the Raleigh and Gaston Road was originally planned it was intended to form one of the links in the great chain of inland communication from North to South, and that an extension of the road to Columbia in South Carolina, was

at the succeeding Session of the Legislature authorized, and a Charter obtained for that purpose. The great revulsion in the business operations and monetary affairs of the country, which occurred almost immediately after the granting of the Charter for the Road to Columbia, prevented any further prosecution of that object than merely to secure the Charter, which required a given amount of the stock to be subscribed within a specified time, and the actual commencement of the work. The vast importance of this road is now becoming every day more apparent. The lines of communication by railroad and steamboat between Augusta, in Georgia, and New Orleans, are rapidly verging toward completion. The Road now constructing between Columbia and Branchville, on the Charleston and Hamburg Road, is expected to be finished the present summer. When these roads are completed and the Richmond and Fredericksburg Road shall be extended to the Potomac, the whole chain from Boston to New Orleans will be perfected, except that portion between Raleigh and Columbia, a distance of only two hundred miles.—This central link, which is necessary to connect the two ends together, and thus give permanency and increased value to the whole, is of too much importance not to be filled up. The accommodation of the travelling public from one extreme of the Union to the other, the safe, certain and expeditious transportation of the United States Mail, the immense advantage which such a line of internal communication between North and South would be to the General Government for the speedy transportation of troops in time of war, together with the enhancement of the value of the stock in all the Roads forming a part of the great line, form so strong a combination of interests in its favor as to leave no doubt of its construction at no distant period.

The land damages in the County of Wake, which were unsettled at the date of the last Annual Report, have since, with two or three exceptions, been adjusted, and a considerable portion of them paid. Measures have also been taken for the assessment of the remainder, and we hope in a short time to be able to close finally this hitherto troublesome and vexatious question. By an act of the last Legislature, the Company was authorized to increase the rates of fare for Passengers on the road to ten cents per mile, which is about the average of the charges on the main stage lines in the southern States. It was deemed best, however, to make but a very slight increase on former rates, and an average of seven cents per mile was fixed upon. This increase, though so small as not to be felt by the traveller, will, nevertheless, add considerably to the annual receipts.

Statement C, is a transcript from the Books, showing the general condition of the Company on the 1st of May, 1841, the close of the fiscal year. The debt outstanding against the Company, as shown in this account has been reduced \$110,000, by payments made in State Bonds since the Company was authorized to issue them. Paper, marked D, exhibits the amount of produce sent from, and merchandize received at the various Depots, from the 1st May, 1840, to 1st May, 1841.

All which is respectfully submitted.

By order of the Board of Directors,

SAM'L F. PATTERSON, Pres't.

NOTE.—For the Statements mentioned in the Report, see the two following pages.

#### Schuylkill County Iron-and Enterprise.

A boat load of Cast Iron Pipes for the New York Water Works, was shipped a few days since from the foundry of Mr. Tobias Wintersteen; a very enterprising and industrious citizen of Port Carbon. These pipes are eighteen inches in diameter, and weigh upwards of 2300 lbs. each. Competent judges pronounced the castings to be equal to any work of that description they had ever seen. The Iron used is exclusively the production of Schuylkill county, being a mixture of Anthracite with Charcoal Iron.

*Miners' Journal.*

**Statement A, Referred to in President's Report.**

*Comparative estimate of the Expenses on the Raleigh and Gaston Railroad, for the years 1840 and 1841.*

1840.	1841.
Salaries to officers.....\$4,800 00	Salaries to officers.....\$4,800 00
Depot expenses, at Raleigh.....say 350 00	Depot expenses at Raleigh.....say 400 00
“ “ Huntsville..... 500 00	“ “ Huntsville..... 250 00
“ “ Forestville..... 550 00	“ “ Forestville..... 550 00
“ “ Franklin, exclusive of hands 350 00	“ “ Franklin, including hands... 600 00
“ “ Henderson..... 750 00	“ “ Henderson, exclusive of
“ “ Ridgway..... 650 00	han..... 450 00
“ “ Warrenton..... 650 00	“ “ Ridgway..... 650 00
“ “ Macon..... 550 00	“ “ Warrenton..... 650 00
“ “ Littleton..... 650 00	“ “ Macon..... 400 00
Agent “ Gaston..... 300 00	“ “ Littleton..... 550 00
3 Engine men at \$60 each per month..... 2,160 00	Agent “ Gaston..... 300 00
1 Engine man at \$50 “..... 600 00	3 Engine men, at \$60 each per month..... 2,160 00
4 Overseers on line at \$400 each..... 1,600 00	1 “ man at \$50..... 600 00
2 Train conductors at \$30 each per month..... 720 00	4 Overseers on line, at \$400..... 1,600 00
1 Machinist..... 624 00	2 Train conductors, at \$30 each per month.... 720 00
1 Blacksmith..... 624 00	1 Machinist..... 624 00
1 “..... 312 00	1 Blacksmith..... 624 00
3 “ Colored..... at \$180... 540 00	1 “..... 360 00
5 Colored train hands and firemen, each \$180... 940 00	3 Colored do.....at 510 00
1 White “..... 180 00	2 Colored train hands, and 4 firemen..... 980 00
2 Carpenters, at \$20 each per month..... 480 00	49 Slave laborers on line, and at depots... 4,658 00
1 Freight train captain part of the year..... 140 00	Feeding and clothing 46 hands, say at \$45 each 2,070 00
85 Slave laborers on the road, and at depots, at \$150.....12,750 00	2 Colored and 1 white carpenter cutting in rails. 512 00
Board of Engineers, Train Conductors and Firemen, while on the Road..... 765 00	Board of Engineers, Train Conductors, Firemen, &c. while on the road..... 765 00
Oil and spikes..... 1,300 00	Oil, spikes and tools..... 1,700 00
Materials for shops at Raleigh..... 800 00	Materials for shops in Raleigh..... 1,000 00
60,000 feet of railing and dressing do..... 4,050 00	100,000 feet of railing and dressing..... 6,000 00
2,000 Cords pine wood.....at \$1 25 2,500 00	2,000 cords pine wood.....at \$1 25 2,500 00
Postage, stationery and contingencies.....say 250 00	Postage, stationery and contingencies.....say 250 00
Losses.....say 500 00	Losses..... 500 00
<u>\$41,935 00</u>	<u>\$37,733 00</u>
Estimate for 1840.....\$41,935 00	Estimate for 1840.....\$41,935 00
“ 1841..... 37,733 00	“ 1841..... 37,733 00
Difference in favor of 1841.....\$4,202 00	Difference in favor of 1841.....\$4,202 00

**Statement B, Referred to in President's Report.**

*Statement of Receipts on the Raleigh and Gaston Railroad, for 1839-40 and 1840-41.*

	1839 AND 1840.			1840 AND 1841.			Loss.	Gain.
	Passengers.	Freight.	Total.	Passengers.	Freight.	Total.		
May.....	\$763 92	\$828 27	\$1,592 19	\$2,403 26	\$3,597 28	\$6,000 54	....	3,198 13
June.....	756 20	416 25	1,172 45	2,349 74	2,153 94	4,803 68	....	2,850 44
July.....	809 22	356 48	1,165 70	2,474 87	1,679 16	4,154 03	....	2,227 14
August.....	971 63	336 61	1,308 24	2,243 29	1,935 29	4,178 54	....	2,047 91
September.....	1,331 18	775 58	2,106 76	2,766 35	1,513 31	4,279 66	....	731 72
October.....	1,052 82	1,637 28	2,690 10	3,250 79	2,786 84	6,037 63	....	1,183 91
November.....	1,094 22	1,223 20	2,317 42	2,363 59	2,803 75	5,167 34	....	1,059 60
December.....	1,150 99	2,880 99	4,031 98	2,014 72	2,793 34	4,808 06	....	776 08
January.....	961 98	2,139 48	3,101 38	1,678 04	2,688 43	4,366 47	....	1,265 09
February.....	903 39	3,015 19	3,918 56	1,508 91	3,252 69	4,761 60	....	843 04
March.....	1,733 48	3,182 56	4,916 04	1,847 12	3,380 82	5,227 94	....	311 90
April.....	2,298 85	3,761 79	6,060 64	2,120 24	4,974 38	7,094 62	....	1,033 98
	\$13,827 88	\$20,553 68	\$34,381 46	\$27,020 92	\$33,859 23	\$60,880 15		\$17,528 94
	3,385 00	5,583 66	8,968 66		Mail pay	8,460 00		
		Mail pay	8,460 00					
	\$17,212 88	\$26,137 34	\$51,810 12	\$27,020 92	\$33,859 23	\$69,340 15		\$17,528 94

**Statement C, Referred to in President's Report.**

*Receipts and Expenditures to May 1st, 1841.*

Received on account of capital stock . . . . .	\$681,596	18
Bills payable (outstanding) . . . . .	167,097	57
Bonds do . . . . .	122,562	22
State loan issued . . . . .	417,000	00
Freight . . . . .	62,728	41
Passengers . . . . .	49,165	61
U. S. Mail . . . . .	12,333	64
Paid on account of excavation and embankment . . . . .	\$579,276	36
Superstructure . . . . .	232,154	60
Gaston Bridge . . . . .	65,483	17
Tar River Bridge . . . . .	41,990	83
Cedar Creek Do . . . . .	24,004	18
Neuse River Do . . . . .	16,015	31
Crab Tree Do . . . . .	10,987	69
Iron and spikes . . . . .	109,178	33
Masonry . . . . .	34,533	47
Land damages . . . . .	23,177	57
Surveys . . . . .	56,779	53
Profit and loss . . . . .	31,027	89
Freight on Iron, Timber, etc . .	11,149	52
Salaries . . . . .	20,599	57
Contingent expenses . . . . .	6,996	47
Depots, water stations, etc . . .	39,260	74
Cars, Engines, etc . . . . .	62,755	80
Salaries . . . . .	10,000	00
Depot expenses . . . . .	7,772	56
Wood . . . . .	3,449	86
Charges on Transportation . . .	10,651	98
Repairs, Cars, Engines, etc . . .	3,270	83
Repairs of Road . . . . .	22,135	78
Bills receivable . . . . .	9,106	63
Stage company . . . . .	51,456	59
Interest on State loan . . . . .	19,025	08
Cash account . . . . .	268	58
Balance Treasurer's account . . . . .	2,007	12
Petersburg Railroad Company . . . . .	7,967	36
	\$1,512,483	43
		\$1,512,483 43

**Statement D, Referred to in President's Report.**

*Statement showing the quantity of Produce sent from, and the Merchandise received at the various Depots on the Raleigh and Gaston Railroad, from the 1st May, 1840, to the 1st of May, 1841.*

<i>Depot.</i>	<i>Produce sent.</i>				<i>Tonnage of Produce sent.</i>	<i>Merchandise received.</i>				<i>Tonnage of Mdze. received.</i>
	Hhds. of tobacco.	Bales of cotton.	Bbls. flour.	Bushels wheat.		Sacks Salt.	Tierces lime.	Barrels fish.	Tonnage of all other goods.	
Littleton.....	550	510	....	....	1,401,562	361	70	30	285,033	382,673
Macon .....	405	42	....	155	804,300	182	19	48	102,154	158,754
Warrenton ..	787	246	....	....	2,185,737	516	58	133	524,134	686,014
Ridgeway ...	1,070	60	....	170	1,636,200	447	41	128	235,053	375,483
Henderson...	2,544	377	348	119	4,029,562	2,289	168	631	1,049,947	1,756,757
Franklinton..	349	694	17	69	773,940	1,129	77	101	405,987	719,797
Forestville ...	16	1,339	....	....	492,650	420	28	....	248,740	359,340
Huntsville ...	4	129	....	40	53,400	267	....	...	60,913	127,663
Raleigh.....	35	762	....	....	223,538	942	428	211	1,426,374	1,781,234
	5,760	4,159	365	553	11,600,889	6,553	889	1,282	4,338,335	6,347,715

### TREASURER'S REPORT.

The account herewith submitted, marked C, shows the total amount of receipts and expenditures to May 1st, 1841. There is yet due from the stockholders, the sum of \$18,403 82; not more than one-fourth can be considered as available. A part of the delinquent stock has been sold by order of the board, but no measures have been taken to enforce the collection of the balance remaining due, after applying the proceeds of their stock.

Of the guaranty of the State for \$500,000, there has been issued and applied to the use of the company \$417,000.—The balance \$83,000, has been placed in the Bank of the State, as collateral security for loans obtained.

The expenditures on account of construction, may be considered, nearly at an end, though some additional improvements at the depot in Raleigh, and other points on the road prevent the accounts from being closed.

It will be seen, on reference to the account, the expendi-



tures properly chargeable to transportation, have been, to the first of May inst. \$57,281 01, and the receipts during the same period \$124,227 66, showing a balance of \$66,946 65—which will, however, be reduced three to four thousand dollars, by outstanding claims for negro hire.

The property of the stage company has been disposed of, and that account is yet to be credited with the proceeds of the sale.

Of the bills receivable on hand, about one-half may be considered available at the present time, though I believe the whole amount to be ultimately good.

The balance appearing against the Petersburg Company on the 1st of May, has been since realized, and applied to the payment of land damages, and other pressing claims against the company.

Statement B, is a comparative view of the Transportation, for the years ending May 1st, 1840 and 1841.

From this, it will be seen that the receipts from passengers have nearly doubled, while the increase in freight has been less.

This is owing, no doubt, in a great measure, to the increased charges for Transportation on the Petersburg Railroad, which have withdrawn freight from both roads, without adding to our receipts for what we have carried. It must be recollected that this road was opened the whole extent but a small portion of the first fiscal year, and that a portion, therefore, of the largely increased receipts must be ascribed to this fact. From a careful estimate which I have made, the proportionate increase does not vary but little from 55 per cent. and the receipts from freight alone during the month of April, exceeds by a thousand dollars, that of any other month since the opening of the road.

The increased charge on passengers has been in operation hardly long enough to test its propriety, but, so far, the effect has been to increase the receipts, without reducing the number of passengers.

S. W. WHITING, *Treasurer, &c.*  
Raleigh (N. C.) Register.

### The Military Academy.

*Report of the Board of Visitors.*

WEST POINT, }  
June 21, 1841. }

To the Hon. John Bell, Secretary of War :

Sir:—I have the honor herewith to enclose to you the Report of the Inspecting Board of Visitors at West Point, in compliance with your instructions of the 26th ultimo.

According to your desire, the examination has been closed, and the inquiries minuted; and the result, I trust, will be satisfactory to the Department.

I have the honor to remain, sir, with the highest consideration and respect, your most obedient servant,

CHAS. STEWART.

To the Hon. John Bell, Secretary of War :

Sir:—The Board of Visitors to the United States Military Academy at West Point met at this post on the 7th instant, agreeably to your request, and were organized by appointing Commodore Charles Stewart, of the Navy, President, and Professor Charles B. Haddock, of New Hampshire, Secretary.

The Visitors were informed by the Superintendent of the Academy that the Academic Board would be divided into distinct committees, for the purpose of examining different sections of Cadets, at the same time, in different departments. The Visitors thereupon assigned one-half our own members to each of these departments, and immediately entered on our duties, under the direction of the Department.

Seven hours each day (the Sabbath excepted) have been devoted to the examination of the Cadets, in each department, and, so far as our other duties would allow in the presence of the respective committees of the Board of Visitors. Two hours a day have been employed in various exercises and practical exhibitions of military skill in the field.

The examinations have been continued without interruption from the 7th to the 21st instant.

In submitting the results of their inquiries to the Department of War, the Board propose, for the sake of perspicuity, to comprise what they deem it important to communicate to you under several distinct heads.

And, in the first place, they beg leave to invite your attention to the subject of *scientific instruction*.

This department constitutes the principal study in each of the four years' course.

The class formed of new Cadets at the commencement of the academic year is called the fourth class. This class is instructed in algebra, geometry, plane and spherical trigonometry, mensuration of planes and solids, and the higher sections of the class in descriptive geometry.

The studies of the third class embrace descriptive geometry, by the lower sections, with application to spherical projections, warped surfaces, shades, shadows, and perspective; also, surveying, including the description of instruments and the mensuration of heights and distances, analytical geometry, the differential and integral calculus, including its various applications to mensuration and the determination of many important properties of the geometrical magnitudes.

The second class begins the courses of natural and experimental philosophy, which includes mechanics, embracing statics, dynamics, hydrostatics, and hydrodynamics: Optics, embracing a general outline of the theory of light, the fundamental laws of reflection and refraction, and the construction of optical instruments: Astronomy, embracing a description of the solar system, the nature of the earth, the theory of the motions of the heavenly bodies, the methods of determining the latitude and longitude of places on the surface of the earth, and the uses of astronomical instruments: Magnetism, embracing general facts and principles, polarity, laws regulating magnetic intensity at different distances, terrestrial magnetism, the variation of the compass, and the construction of magnetic instruments: Electro Magnetism and Electro Dynamics.

The course of Chemistry includes the properties of matter and the general laws of chemical changes, embracing attraction, affinity, caloric, electricity, and galvanism; the nomenclature and the use of the symbols; the preparation, properties, and uses, of non metallic elements and their compounds; the general properties of metals and alloys, with the character and uses of the most important metals and their compounds; salts; mineral analysis and the use of the blow-pipe; the composition, &c. of vegetable principles, organic analysis; the proportion, properties, &c. of the most important vegetable principles, and the chemical properties of gunpowder.

The departments of Natural Philosophy and Chemistry are both illustrated by lectures and experiments, the apparatus for that purpose being large and in good order.

The first, or highest class, is principally occupied with *Engineering*, which includes the *science of war*, *military engineering*, *civil engineering*, and *architecture*. The first comprises the general composition of armies and the principles of strategy.

The second relates to the erection of temporary and permanent defences of every description, with the means of attack and defence.

The third treats of civil works, including the art of construction in general, in all its branches.

The fourth comprises the principles of architecture and the comparison of the different styles of building.

The instruction in these branches is given partly from text-books prepared by the present Professor in the department, partly by oral communication and partly by means of drawings made under the direction of the teachers. Models illustrative of the most important subjects are exhibited and explained by teachers. The first section of the class is instructed on the subject of machinery.

Mineralogy and Geology are also taught to this class.—The course of Mineralogy includes crystallography; the physical properties of minerals; classification, determinate mineralogy, and descriptive mineralogy, embracing the study of the most important minerals.



Geology includes the classification of rocks according to their origin and age; stratification; the general characters and composition of principal classes of rocks, embracing an account of their minerals and fossils, the uses to which they are applied, and their location in the United States. This course, also, is illustrated by numerous specimens and occasional lectures.

The first class are also taught to apply the science which they have acquired in preceding years to the military art—particularly to gunnery; to the motion of projectiles in resisting mediums, as in air or water; to the penetration of balls and shells into various substances; to the construction and proof of the materials of war in general, especially the different kinds of cannon, gun-carriages, and caissons; to the construction of maps of military surveys, plans of fortifications, models of guns, &c.; to the manufacture, preservation, and use of gunpowder and other articles prepared in the military laboratory; and to the effects produced by the gases developed by combustion.

In these numerous subjects, so connected with each other, and so important in a military education adapted to the improved state of the art of war, the Board are happy to see a completeness and unity of system which leave little room for improvement. The examinations in the departments of science have been highly satisfactory. The Cadets appear well grounded in all the branches, and afford gratifying evidence of the ability and fidelity of their instructors.

The next department distinctly considered by the Board of Visitors is that of *moral and religious instruction*. The members of the Board have sought occasional interviews with the gentlemen to whom the care of this department is entrusted, and have been pleased to find that very proper views are entertained by those gentlemen of the nature and importance of their duties, and that they seem disposed to spare no pains in giving a right direction to the minds of the young men under their charge, and in elevating, to the utmost degree, the love of moral and religious feeling, so necessary to the full development of the human intellect, and to the perfect discharge of the duties and responsibilities of life. This department includes Geography, English Grammar, Rhetoric, Moral Philosophy and Constitutional Law.

The Principal in the department is Chaplain to the Academy, and preaches in the chapel on the Sabbath.

Former Boards of Visitors have recommended that the chaplain should be relieved from a considerable part of the text-book instruction now imposed upon him, that he might have more time for the appropriate duties of a Christian teacher and pastor. In order to effect this change, it would be necessary to employ an additional instructor in the department. In this recommendation the present Board entirely agree. Indeed, they beg leave to attract the attention of the War Department particularly to this subject. It is not to be overlooked that in this Institution are assembled two hundred and fifty young men, at a very susceptible period of life, separated from the wholesome restraints of friends and kindred, deprived of parental guidance, and stimulated to high intellectual attainment and honorable distinction, without the humanizing and sanctifying influences of a pious home.

The whole community, in one form or another, connected with the Academy, amounts to about a thousand. In the moral character and deportment of all this population, the Institution is deeply interested, and the chaplain is their only religious teacher and spiritual guide. It must, therefore, be evident to the Government that the less the time and studies of this officer are occupied with other things, and the more exclusively he is devoted to his appropriate Christian influence, the better the great ends of the Institution are likely to be answered. The Board, in this view, earnestly recommend that the text-book instruction of the chaplain be confined to moral Philosophy; and that he be, also, considered as so far exonerated from the ordinary rules of discipline that he may have free access to the rooms of the Cadets, and the most unrestrained and familiar intercourse with them, at all times, without being exposed to the suspicion of acting as an inquisitor into their conduct, and without being understood to sustain any other relation to them

than the affectionate, parental relation of a pastor to an ordinary parish. From the nature of the clerical office, and especially from the remarkable intelligence and kindness of the present chaplain, (himself a graduate of the Academy,) and from his peculiar qualifications for securing the confidence and affection of the young, the Board cannot but anticipate the most salutary and desirable results, if he should be left to give himself more entirely to his appropriate duties.

There is one branch of study, not introduced into this department, which seems to the Board of too great importance to be omitted. We refer to Logic—particularly the principles and rules of evidence. This suggestion is strongly recommended to the Department by the consideration that the young men educated here are, in the natural course of things, to be called frequently to sit in judgment on the character, and, it may be, lives of their fellow-men. And it would seem too obvious to require to be urged on the attention of the Department, that a perfect acquaintance with the general rules of evidence is essential to the proper administration of military law.

In another view, also, it seems to us equally important that this subject should not be excluded from the course of study. The sciences here taught are mainly demonstrative. The pupil is, therefore, in danger of insensibly acquiring the habit of feeling that nothing is proved which is not mathematically demonstrated. He should be taught, also, the nature of proof in general, and the kind of evidence proper to the very dissimilar subjects of interest to us, as men of science, as citizens, and as moral beings. It gives the Board great pleasure to be able to say that, so far as they can judge, after careful attention to the annual examination, the studies of this Department are taught with ability and great success by the several instructors. They would also add, that from all that has come to their knowledge, during their stay at the Academy, they are impressed with the consideration that sound morals and regular deportment, at present, distinguish the Officers and Cadets, and that the parents and friends of the young men sent here, may rely on their being as carefully preserved from vice and immorality as the nature of a public education admits. One of the principal defects which the Visitors have observed in the Cadets, during the examination, relates to this department, and consists in an imperfect and indistinct elocution. Particular attention seems not to be paid to this subject. A clear and full enunciation is, however, an accomplishment in a military man; and, indeed, can hardly be dispensed with in any profession. We observed with regret that, in all the classes, the voice is imperfectly cultivated, and the elocution often indistinct and hurried. The proper remedy for this defect would be either to employ a distinct teacher for the purpose, or, what would perhaps be even better, to render the several professors and instructors responsible for an accurate and clear articulation in their respective exercises and examinations.

Connected with this subject is that of Composition, which has been recommended to the consideration of the department by other Boards of Visitors, in which recommendations this Board fully concurs. It may not be improper for the Board to suggest, in this connexion, that the principal text-book in the study of the French language (a department taught with great industry and care by the very competent and efficient teachers of the languages,) is not of the most moral and useful character. There must be abundance of good French, perfectly free from objection. There can, therefore, be no necessity for teaching the language in authors of a questionable tendency. It must be obvious to the Department that the youthful imagination is too delicate and too susceptible of wrong impressions to be safely exposed to the exciting scenes frequently introduced into novels of the class to which this work belongs. Even the occasional hasty perusal of an exceptionable author, by the young, should be prevented if possible. This, however, is one thing. It is quite another thing for the young mind to be detained upon such an author, to read it aloud in the presence of others, to commit portions of it to memory, and, especially, to do so under the authority and with the approbation of a public instructor.

The Board have, also, carefully considered the system of discipline prescribed by the President of the United States

on the 1st of January, 1839; and, after mature inquiry and personal observation, they have every reason to believe that these rules and regulations have been faithfully enforced by those on whom the duties devolve. The hospital is a stone edifice, located near the bank of the Hudson river, beautifully shaded with the sugar maple on the east and near the base of the mountain on the west; commanding an interesting view of the river, and securing always a free circulation of pure air. This building contains, in its basement story, eight rooms of convenient size for the accommodation of the nurses, matrons, domestics, kitchens, &c. Immediately above these rooms are eight large, convenient, and airy chambers for the sick, with a portico in front, furnishing a pleasant promenade, in full view of the river, for convalescent patients. Connected with this building, one at each end, are two buildings of similar size, one story higher than the hospital, for the accommodation of the surgeon and assistant surgeon. The whole building is convenient and appropriate. It is hardly possible that an establishment of the kind should be more suitably and cheaply furnished.

The barracks have been the subject of such repeated animadversion and criticism by former Boards that we should content ourselves with barely referring to their several reports, did we not consider that the health, morals, and industry of the Cadets, and, of course, the success of the Institution itself, depended in no small degree, on the improvement of these accommodations. For the successful pursuit of knowledge, a youth must have command of his time and pursuits, in his room, must have good health, and must be comfortable.

The barracks contain only 96 rooms. These must furnish accommodations for 250 Cadets; more than two must of course, be put into a room. In fact four, and often five, are crowded into a single chamber. The rooms in the south building are scarcely large enough to accommodate one. They are cold and uncomfortable in the inclement seasons of the year, and badly ventilated in the summer. It is a matter of astonishment to this Board that Cadets have attained to such proficiency in their studies under circumstances so unfavorable. It is a strong proof of the great improvement of which the Academy is susceptible, with better facilities and more experience. During the first fifteen years of the existence of the Academy whilst the Cadets were accommodated in wooden barracks, opening to the south, there was scarcely an instance of a Cadet being confined to the hospital by disease. Since the erection of the stone barracks, the sick reports of the surgeon show an average of five, and sometimes of six, thus confined. By reference to one of the quarterly reports of the surgeon, embracing the months of January, February and March, of the present year, it will be seen that the cases of disease for that quarter amount to 494; of these, 177 are cases of catarrh, and fairly referable, chiefly, to these uncomfortable rooms. Other diseases, such as pleurisy, headache, &c., naturally result from the same cause.

Again: these barracks are clumsy, ill-shapen stone structures, erected without regard to order or taste—situated on the plain which ought to be appropriated to military evolutions, at a point where it is impossible to erect the necessary appendages and conveniences without danger to health and comfort.

The public grounds furnish, on the east side of the plain and on the bank of the river, the most convenient and beautiful site for such buildings. Here the barracks would open to the south-east, and all necessary appendages might be disposed of with due regard to neatness, taste, and health.

The Board have no hesitation in recommending the erection of new barracks on the bank of the river.

The commons are good. The steward is a salaried officer, and under no temptation to furnish any but wholesome and proper provisions. The regulations on the subject of clothing, bedding, &c., are in the highest degree consistent with comfort and economy. The substantial building intended for the philosophical apparatus and library is nearly completed. The completion of this building will open the rooms occupied by the philosophical apparatus to the Professor of Chemistry, and these important departments will be both provided with the most ample and desirable accommodations.

The Board would next invite the attention of the Secretary of War to the course of *Military Instruction*.

The fundamental purpose of this Institution is to prepare young men for the proper discharge of the duties of the soldier. It is essentially a military school, and its courses of instruction are intended to convey a full knowledge of the military art, not only in its general principles, but also in its details. To this end, much time is given to the acquisition of the exact and mixed sciences, which are applied by the military student not only in acquiring a knowledge and understanding of the science of war, but in the more detailed operations in the field, the fort, the foundry, and the laboratory. A moment's reflection upon the vast influence of the exercises of the military art upon the destiny of nations and the affairs of life—an art that calls into the most active and efficient exercise all the energies of mind and body, and which, in that exercise, must direct, control, and manage the innumerable, varied, and complex operations, modifications, and circumstances of mind and material—must convince every one of the usefulness of an institution which dispenses such knowledge. Such an institution is this Academy.—In their examinations of the attainments of the pupils in military knowledge, and of skill in its practice, the Board have had assurance that the object of the Institution has been faithfully kept in view. The theory is well taught, and the practice is satisfactory, so far as the limited nature of such an establishment will permit. The evolutions of the line and the actual operations of fortification cannot be practised here, however complete the scientific instruction may be.

In the management of cannon and mortars, and the firing of shot, shells, and other projectiles; the use of the musket and sword; in the exercise of field artillery; and in the drill and manœuvres of the company and battalion of infantry, the performance of the Cadets has been perfectly satisfactory. The various manipulations of the military laboratory have been performed by the members of the graduating class with skill; and they have promptly explained the principles on which these manipulations depended, in a clear and scientific manner. They have exhibited to us that kind of knowledge of the subject which will enable them at once to execute the difficult and important task of preparing and using accurately the immediate implements of attack, or of supplying their want from the most practicable expedients.

The Cadets have now the advantages which it was anticipated they would derive from the use of a small number of horses. The practice of field artillery and the elements of cavalry tactics, together with considerable skill in the useful and graceful art of horsemanship, are learned in a satisfactory manner, and so as to answer the additional purpose of a healthful bodily exercise. Its effect upon their health is decidedly beneficial.

The last general subject to which the attention of the Board has been given is that of the fiscal concerns and property of the Academy.

It appears to the Board that the 16th, 17th, 18th, and 19th articles of the "Revised Regulations" approved by the President, have been strictly observed and carried out in letter and spirit. The amount of money expended here by the Government for the year ending 1st May, 1841, applicable to the Institution, for the *cost of Instruction and pay of Cadets*, is as follows, viz:

Amount expended by the Paymaster.....	\$101,271 50
Do do Quartermaster.....	26,482 80
Making, together .....	\$127,754 30

Of this sum, \$81,405 68 is for *pay of Cadets*, being \$28 per month to each.

Out of this sum the Cadet boards and clothes himself, furnishes his own books, stationery, and mathematical instruments, the furniture of his room, washing, &c.; every thing, in fact, but fuel.

The regulations of the Institution place all the Cadets upon a financial equality. Each must live on his pay, and can receive no "family aid." Hence a system of vigilant economy must be observed, to enable each Cadet to meet the re-

quirements of the Institution as to dress and general appearance, as well as to secure to him a good and wholesome table. To effect this, the Board were particularly struck with the system perfected by the present estimable Superintendent, whereby each Cadet, whilst strictly supervised himself, is enabled to check and supervise every point involving expenditure on his own account. Throughout the whole range of fiscal matters, from the smallest to the largest channel of expenditure, there is established so perfect a method of check and counter check, and strict accountability, as to render error or omission impossible.

A well ordered economy, not among the least of the practical acquirements, praise worthy in private life, and indispensable in public life, is here practically taught with accuracy of detail, entitling it to a rank among the "exact sciences." A Cadet graduating at this institution, and called into the service of his country, would have just as strong grounds of excuse for mistaking a circle for a triangle, as to plead ignorance or incompetency in the practice of unerring rules to guard against waste, fraud, or useless expenditure of any kind.

The value of the mass of practical scientific knowledge acquired here, and annually sent forth to the nation in the persons of her trusted sons, can scarcely be estimated by figures. The cost is reached with entire accuracy. The Cadet, who graduated here after a conflict of four years with untiring competition, is not permitted to hide his knowledge under a bushel, but is required, in turn, to dispense it when and where his future duties to his country may call him.—Regarding as we do, this knowledge as positively indispensable to the nation, we are unable to adopt any rule of computation to mark its value compared with its cost; which cost assessed in the shape of a poll-tax, would fall considerably short of one cent each on our citizens. To urge an objection to the Military Academy at West Point on the ground of its cost, would be like objecting to the cost of seed which the field required, when a greedy market stands ready to take the abundant crops it may produce. The Board were invited to visit the drawing room in which a great variety of specimens of every kind of drawing and draughting, in ink and colors, were exhibited. The ingenuity and skill with which many of these were executed are worthy of particular notice. To draw from nature with justness and taste is an accomplishment in any department of life, and to the military man often eminently useful. The practice itself, aside from any actual application of the art, promotes the habit of observation, educates the eye, and thus tends to secure to the military man that peculiar tact, that kind of instructive judgment, by which a great captain instantly chooses or abandons a position, and sees, at once, points of importance which wholly escape the unpractised eye.

Though not falling entirely within the range of our prescribed duties as a Board of visitors, we have yet deemed it a matter of no ordinary interest to investigate the method now adopted in selecting candidates to this Institution. We can conceive of no theory more just than that which at present prevails—which gives to each Congressional district the nomination of its pro rata number of candidates, leaving a portion to be taken at large by the appointing power. By this system, every part of our country comes in for its share, geographically, whilst the sons of such of our fellow-citizens who may have meritoriously served the country in various branches of the public service, and necessarily deprived of this geographical locality, share the distribution. It is probable that, among the nominations from Congressional districts, some may owe their selection as candidates to the political influence of friends in the dominant party. Adopting any form, this influence may still directly or indirectly prevail; but we are inclined to think that the system now existing is one obnoxious to least objection on this ground. In other respects, touching the qualifications of candidates, it is almost impossible that the appointing power should be personally familiar, and consequently must depend on the sagacity, integrity, and patriotism of the nominating power. On one point, however, we have satisfied ourselves most clearly—that, no matter to what influence the Cadet may

owe his appointment, no matter from what portion of the Republic he may come, here he is received on a perfect equality with his comrade; name, influence, fortune, family, all alike are merged in one common consideration—*individual merit*; the rich, the poor, the sons of living parents and the orphan, are all on an equality. The rules and regulations for conduct and study recognise not an iota of difference or distinction—all alike are subject to a system of unerring justice and accountability, so that the most jealous and skeptical cannot fail to admire and approve.

It is barely possible that this system of even handed justice, so inflexibly practised here, may in some instances occasion disappointment to cherished hopes of parents and friends, and even enmity against the Institution; but the question is, shall the Institution conform itself to the standard of the various elements annually offered for instruction, or exact such elements as shall meet and conform to its standard? On this point, we have no hesitation in deciding in favor of the latter.

On investigating the leading causes of dismissals, we invariably trace them to the following sources,

1st. Mental and physical inability.

2d. Inefficient preliminary qualifications and attainments.

3d. Indisposition to conform to rules and regulations established here, which have a strong contrast to habits at home. Hence, we see a large portion of the lads dismissed here are sons of parents in easy circumstances, and who have been indulged in habits of luxury and idleness, whilst the son of the parent of limited means, or the orphan who is early taught to depend on his own efforts for success, and whose home has been one of well ordered industry and morality, readily meets the requirements exacted here, and passes through with honor to himself, his teachers and his country.

If we are permitted to offer advice, as well to the nominating and appointing power as to the parents, friends, and guardians of candidates to this Institution, it would be to look well to the qualifications of the candidate before selecting him to pass the ordeal here. This ordeal is, indeed, severe; but we are, nevertheless, constrained to urge the inflexible continuance of the system which has been adopted, as the only one calculated to realize the intention and object of Government in establishing this truly national Institution.

From this extended but still imperfect view of the prominent features of the Academy, the Department will be able to see, we trust, that the Board of Visitors have considered, with no little care, the various important subjects pointed out to us in the official letters which called us together.—We came, at the invitation of the Government, from remote parts of the country; we belong to extremely different professions and spheres of life, strangers, most of us, to the place and to each other; we have doubtless looked at the Institution from very different points of view, and, of course, with feelings not entirely similar.

It gives us true happiness, however, to be able to say that, in every respect, there has appeared the utmost courtesy and frankness on the part of the officers of the Institution, and that in no instance have we discovered the slightest disposition to conceal what we wished to know, or to set off the Cadets or the usages and exercises of the Academy by artifice or illusion.

To the general merit of the Academic Board we have borne testimony in different parts of the foregoing report.—Of the efficient and accomplished officer at the head of it, we wish also, to speak in unqualified approbation and great personal regard.

The Department will permit us to add, in conclusion, with whatever diversity of opinions we may have met, we are about to take leave of each other and of this enchanting scenery, which nature seems to have created in beautiful harmony with a vigorous and tempered development of youthful intellect, deeply sensible to the great permanent interest of the whole country in this our only national institution of science, and earnestly hoping that no narrow public councils or party or local jealousies will ever be suffered to

divert it from its original purpose, or to impede its natural progress to the very utmost limit of academical perfection.

CHAS. STEWART, President, U. S. Navy.  
C. B. HADDUCK, Secretary, of N. Hampshire.  
PIERRE VAN CORTLANDT, N. York.  
LEVI WHEATON, of Rhode Island.  
G. TROOST, of Tennessee.  
SAM'L ALEXANDER, of Pennsylvania.  
JOHN L. GOW, of Pennsylvania.  
DAVID HUNTER, of Illinois.  
WM. RUGGLES, of the Dist. of Columbia.  
ABM. EUSTIS, Brig. Gen. U. S. Army.  
CHS. ACG. DAVIS, of N. York.  
CHARLES DAVIES, of Connecticut.  
J. H. PEYTON, of Virginia.  
S. P. WILLIAMSON, of Tennessee.  
HODIJAH MEADE, of Virginia.  
O. M. MITCHELL, of Ohio.

April Weather.

A correspondent has sent us the following table of the heat in April, giving the average of three observations of the Thermometer, each day through the month, for 22 years from 1820 to 1841 inclusive :

Years.	Aggregate.	Average.
1820	1308	43.6
1821	1294	43.1
1822	1305	43.5
1823	1392	46.4
1824	1376	45.9
1825	1417	47.2
1826	1271	42.4
1827	1467	48.9
1828	1281	42.7
1829	1334	44.5
1830	1402	46.7
1831	1384	46.1
1832	1194	39.8
1833	1416	47.2
1834	1357	45.2
1835	1274	42.5
1836	1246	41.5
1837	1290	43
1838	1213	40.4
1839	1373	45.8
1840	1423	47.4
1841	1236	41.2
22 years	29,253	975.0
1 year	1329.7	44.32

[Salem Register.

The Funeral Obsequies.

Our citizens, yesterday morning, rendered their last honors to the earthly remains of their late friend and fellow-citizen, William Henry Harrison. The hearse which bore the body from the residence of Col. Taylor to the steamboat that conveyed it to North Bend, was preceded by the company of Dragoons, and the several military companies which arrived from the Louisville Encampment in time to join in the procession, and followed by relatives and personal friends of the deceased, by the Committee which had brought it from Washington, the Committee of Forty which had been appointed to make arrangements for the obsequies, the City Council, Officers and Soldiers of the Late War, Judges and Officers of the Superior and Common Pleas Courts, members of the Bar, Odd Fellows, Firemen, other Associations, and large numbers of citizens in an individual capacity.

The procession moved, to solemn music, from the residence of Col. Taylor to the steamboat Raritan, which lay at the foot of Main; and the pavements, and doors and windows of houses, for the whole of this distance, were crowded with persons, numbering doubtless from 18,000 to 20,000, who had assembled to have a last look, as it passed, of the coffin which inclosed the body of the venerated dead.

The boat left the wharf for the Bend about 1 o'clock, bearing with the remains the Committees, the detachment of the United States Marines, and relatives of the deceased. By special invitation, the Rev. T. Brooks went down, to perform the funeral service of the Church of England at the tomb.

Cincinnati Daily Gazette, July 8.

Business of the Interior.

Exports from Alton for the years 1833, '39 and '40, of the five leading articles of Illinois produce, viz: Pork, Beef, Wheat, Flour and Corn.

Hogs—killed and packed in	1838-39,	22,400
“ “ “	1839-40,	29,340
“ “ “	1840-41,	43,470
Beef “ “	1838-39,	1,140
“ “ “	1839-40,	2,560
“ “ “	1840-41,	4,455
Wheat—Exported in	1838, bushels	3,000
“ “ “	1839, “	8,000
“ “ “	1840, “	62,000
Flour—Exported annually, during the last 3 yrs. bbls.		28,000
Corn— “ “ “ “ “ bush.		150,000

Alton Telegraph.

Banks of Maine, June, 1841.

Liabilities.

Capital stock paid in.....	\$3,514,000	00
Bills in circulation .....	1,422,513	00
Net profits on hand.....	163,195	27
Balances due other banks.....	72,442	82
Cash deposited, &c., not bearing interest...	606,331	64
Cash deposited bearing interest.....	117,777	71
Total amount due from the banks.....	\$5,896,260	44

Assets.

Gold, silver, &c. in banks .....	232,461	52
Real estate.....	193,443	23
Bills of banks in this State.....	95,626	76
Bills of banks elsewhere .....	35,105	95
Balances due from other banks.....	365,973	48
Due to the banks, excepting balances .....	4,973,649	50
Total amount of the resources of the banks.....	\$5,896,260	44

Dividends, &c. &c.

Amount of last semi-annual dividend.....	118,241	66
Amount of reserved profits.....	111,012	21-
Debts due and considered as doubtful.....	28,985	29
Amount of bills in circulation under five dolls.	270,755	00
Amount due from Presidents and Directors as principals.....	320,511	10
Amount due from President and Directors as sureties.....	305,611	34
Amount due from Stockholders as principals..	335,325	38

The Supreme Court of New York has denied the application of McLeod to be released without trial, and he has been remanded to prison. In our next Number we shall publish the opinions of the Court.

Violent and destructive hail-storms have been experienced lately in various sections of the United States.

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VOL. V.

PHILADELPHIA, WEDNESDAY, JULY 21, 1841.

No. 3.

## MCLEOD'S CASE.

SUPREME COURT, N. Y.

In the Matter of Alexander McLeod.

On Habeas Corpus, July Term, 1841.

MR. JUSTICE COWEN delivered the opinion of the Court as follows:

The prisoner's petition, on which I allowed this writ, contained an intimation that his commitment to the jail of the county of Niagara had not been regular; but that ground is now abandoned. The sheriff returns an indictment for murder, found by a grand jury of that county against the prisoner, on which he appears to have been arraigned at the Court of Oyer and Terminer holden in the same county.— It further appears that he pleaded not guilty, and was duly committed for trial. The indictment charges, in the usual form, the murder of Amos Durfee by the prisoner, on a certain day, and at a certain town within the county.

These facts, although officially returned by the sheriff, were, by the provision in the habeas corpus act, 2 R. S. 471, 2d ed. § 50, open to a denial by affidavit, or the allegation of any fact to show that the imprisonment or detention is unlawful. In such case the same section requires this Court to proceed in a summary way to hear allegations and proofs in support of the imprisonment or detention, and dispose of the party as the justice of the case may require. Under color of complying with this provision, which is of recent introduction, the prisoner not denying the jurisdiction of the court over the crime as charged in the indictment, or the regularity of the commitment, has interposed an affidavit stating certain extrinsic facts. One is, that he was absent and did not at all participate in the alleged offence; the other, that if present and acting, it was in the necessary defence or protection of his country against treasonable insurrection of which Durfee was acting in aid at the time.

Taking these facts to be mere matters of evidence upon the issue of not guilty, and, of themselves, they are clearly nothing more, I am of opinion that they cannot be made available on habeas corpus, even as an argument for letting the prisoner to bail, much less for ordering his unqualified discharge. That this would be so on all the authorities previous to the Revised Statutes, his counsel do not deny. The rule of the case is thus laid down in the British Books: "A man charged with murder by the verdict of a coroner's inquest may be admitted to bail; though not after the finding of an indictment by the grand jury." 1 Chit. Cr. L. 129, Am. ed. of 1836. Petersd. on Bail. 521, S. P. It has never, that we are aware, been departed from in practice under the English habeas corpus act.

Lord Ch. Justice Raymond said, in *Rex v. Dalton*, 2 Str. 911, that he would bail though a coroner's inquest had found the crime to be murder; and the distinction was between the coroner's inquest, where the court can look into the depositions, and an indictment where the evidence is secret. Lord Mahon's case, 1 Salk. 104, S. P. This reason is adopted by Chitty, at the page of his Cr. Law before cited; and by Petersd. on Bail, London ed. of 1835, p. 521. It was also recognised by Sutherland, J. of this court, in 1825. Tayler's case, 5 Cowen's Rep. 56. He says "the indictment must be taken as conclusive upon the degree of the crime," Id.

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The depositions heretofore taken in the cause being thus cut off, there are no means of inquiry left to us on this motion, by which we can say whether a murder was in fact committed, or whether the charge would probably be mitigated on the trial to a very doubtful case of manslaughter, or to a homicide in defence, or whether all participation might be disproved by showing a clear alibi. Nothing is better settled, on English authority, than that on habeas corpus, the examination as to guilt or innocence cannot under any circumstances extend beyond the depositions or proofs upon which the prisoner was committed.

This would be so, even on habeas corpus before an indictment found, however loosely the charge might be expressed in the warrant of commitment. Chitty, at the page before cited, says, "It is in fact to the depositions alone that the court will look for their direction; where a felony is positively charged, they will refuse to bail though an alibi be supported by the strongest evidence." He cites *Rex v. Greenwood* 2 Str. 1138, a case of robbery, and eight credible witnesses making affidavit that the prisoner was at another place at the time when the robbery was sworn to have been committed; yet adds the report, the court refused to admit him to bail, but ordered him to remain till the assizes. Here the crime is clearly proved by the depositions which have been read on the side of the people, while, instead of eight witnesses to an alibi, we have the solitary affidavit of the prisoner.

In *Rex v. Acton* 2 Str. 851, the prisoner had been tried for the murder and acquitted; afterwards a single Justice of the Peace, issued a warrant charging him with the same murder, upon which he was again committed. On an offer to show the former acquittal in the clearest manner, the court refused to hear the proof. On the authority of this case, Mr. Chitty, at the page just cited, lays down the rule that the court will not look into extrinsic evidence at all. He states a case wherein the same question came up in respect to an inferior crime; receiving stolen goods with a guilty knowledge. The prisoner's affidavit denied his knowledge; yet the court refused to bail, saying the fact of knowledge was triable by a jury only.

They, added, it would be of dangerous consequence to allow such proceedings, as it might induce prisoners generally to lay their case before the court. Page before cited, Petersd. on bail, refers to Chitty, who cites cases K. B. 96. This book, eo nomine, does not appear now to be extant; and 12 Mod. the only reference I am aware of which among the English quotations, is synonymous with Chitty's does not appear to contain the case stated by him. But it accords with many others in circumstance; and the reason given is almost too plain to demand any direct authority. To hear defensive matter through ex parte affidavits as a ground for bailing the prisoner, would be to trench on the office of the jury; for in the case of high crimes, bail would be equivalent to an acquittal.

Accordingly, the rule as laid down in *Horner's case*, 1 Leach, 270, 4th ed. London 1815, is in effect the same with that stated by Chitty. The prisoner had been committed under a charge of defrauding and robbing a man of his money by false pretences. It was insisted that the facts stated in the depositions for the king, made out a mere misdemeanor; and that the prisoner was therefore entitled to bail. But the transaction by which the money was obtained admitted of one construction which might make it a felonious taking.

The court said, "In cases of this kind the course has always been to leave it to the jury to determine *quo animo* the money was obtained. In such a case the court never form any judgment whether the facts amount to a felony or not; but merely, whether enough is charged to justify the detainer of the prisoner; and put him upon his trial."

The cases I have noticed, were, in several respects, stronger for the prisoners, than the case before us. They were mostly founded on charges of a character much less serious than murder. They were all before indictment found; some of them presented a state of things on which it was plainly impossible to convict; and last, though not least, they were mere applications for bail, a thing which McLeod does not ask for. He demands an absolute discharge, on grounds upon which, according to the laws of England, he would not even be entitled to bail. The laws of England formed in this respect the law of New York, until our new Habeas Corpus act took effect.

It becomes necessary next to inquire whether the new statute has worked any enlargement of our powers beyond what we have seen they were up to the time when it passed. The 2 R. S. 469, 2d ed. § 40, 41, requires us to examine the facts contained in the return, and into the cause of the confinement of the prisoner; and if no legal cause be shown for it, or for its continuation, we are to discharge him. That here is legal cause, viz. an indictment for murder, and an order for commitment, we have seen is denied. By the 45th section p. 470, if it appear that the party has been legally committed for any criminal offence, we are required to let him to bail, if the case be bailable. But so far we have no direction as to what case shall be considered bailable. We are left under the restraints which I have noticed as existing before the statute. Not one of them is removed by it.

Then comes section 50. p. 471, which is relied on by the prisoner's counsel. I briefly noticed this in proposing the question to be considered. But the prisoner is entitled to the benefit of it entire. The words are, that "the party brought before such Court or officer, on the return of any writ of Habeas Corpus, may deny any of the material facts set forth in the return, or *allege any fact to show either that his imprisonment or detention is unlawful, or that he is entitled to his discharge*, which allegations or denials shall be on oath; and thereupon such Court or officer shall proceed in a summary way, to hear such allegations and proofs as may be produced in support of such imprisonment or detention, or against the same, and to dispose of such party as the justice of the case may require. Under this statute, the prisoner's counsel claim the right of going behind the indictment, and proving that he is not guilty by affidavit, as he may by oral testimony before the jury.

We have already shown the absurdity of such a proposition in practice, and its consequent repudiation by the English Criminal Courts. And we were not disposed to admit its adoption by our Legislature, without clear words or necessary construction.

We think its object entirely plain without a resort to the rules of construction. Its words are satisfied, by being limited to the lawfulness of the authority under which the prisoner is detained, without being extended to the force of the evidence upon which the authority was exerted, or which it may be in the prisoner's power to adduce at the trial. This, if necessary, is rendered still more plain by considering the evil which the statute was intended to remedy.

At common law, it was doubtful whether the prisoner could question the truth of the return, or overcome it by showing extrinsic matter, upon the point of the authority to imprison. The statute was passed to obviate the oppression which might sometimes arise from the necessity of holding a return to be final and conclusive, which is false, in fact, or, if true, depending for its validity on the act of a magistrate or Court which can be shown by proofs allowed to have been destitute of jurisdiction. Watson's case, 9 Adolph. and Ellis, 731. 3 R. S. 734, 5, 2d. ed. App. note.

An innocent man may be, and sometimes is unfortunately imprisoned. Yet his imprisonment is no less lawful than if he were guilty. He must await his trial before a jury. There are various cases in which the enactment, allowing

proof extrinsic to the return, may have effect without supposing it applicable here. It must, I apprehend, for the most part, apply to cases where the original commitment was lawful; but in consequence of the happening of some subsequent event, the party has become entitled to his discharge as if he be committed till he pay a fine, which he has paid accordingly, and the return states the commitment only; so after conviction he may allege a pardon, or that the judgment under which he was imprisoned has been reversed. Nor is it necessary to inquire how far we might be entitled to go, were the prisoner in custody on the mere examination and warrant of a committing magistrate.

But it is said we have power to direct the entry of a *nolle prosequi*, and it is our duty to look into the merits of the case with a view to decide whether it be a proper one for the exercise of that power. This proposition is also put upon a new section of the revised statutes, which most clearly gives no color for the suggestion. At common law the Attorney General alone possessed this power; and might, under such precautions as he felt it his duty to adopt, discontinue a criminal prosecution in that form at any time before verdict. The power and practice under it are laid down in 1 Chit. Cr. Law, 478, ed. before cited. It probably remains unimpaired in the Attorney General to this day; and it has been by several statutes delegated to District attorneys, who now represent the Attorney General in nearly everything pertaining to indictments and other criminal proceedings local to their respective counties.

The Legislature finding the power in so many hands, and fearing its abuse, by the 2 R. S. 609, 2d. ed. § 54, provided that it should not thereafter be lawful for any District Attorney to enter a *nolle prosequi* upon any indictment, or in any other way discontinue or abandon the same without leave of the court having jurisdiction to try the offence charged. This provision, the prisoner's counsel contended, so enlarged our powers that we might arbitrarily interfere on the prisoner's affidavit and other proofs verifying his innocence or even on grounds of national policy as where the prosecution would be likely to affect our foreign relations unfavorably; and that too in despite of the Attorney General and district Attorney. Conceded as it was, that before the Revised Statutes we had no power to give such direction, the argument seeks to draw from the statute giving us a *veto against the nolle prosequi* a positive power to compel its entry. Even if we had such power, the argument would be quite extraordinary. It demands that we should finally dispose of an indictment for murder, on the sort of evidence by which we are guided upon a motion to set aside a default or change a venue. In any view this question belongs primarily to the Executive Department of the Government.

I shall have occasion to inquire hereafter whether these views should not be regarded as a final answer to this application. That will depend on the question whether facts stated on the part of the prisoner, supposing them to be admissible at all, are proper for the consideration of the jury only; or whether, as counsel have insisted with great zeal, they are such as to divest our Criminal Courts of all jurisdiction either over the subject matter or person of the prisoner. We should, as we thought at the close of the argument, have felt ourselves entirely satisfied to dispose of the case on the first question, without looking any farther into the nature of the transaction out of which this indictment has arisen. But, as counsel made the question of jurisdiction their main topic, we preferred to reserve the case, and have looked into it as far as possible during a very short vacation, consistently with other pressing judicial avocations.

Want of jurisdiction has not been put on the ground that McLeod was a foreigner. An alien, in whatever manner he may have entered our territory, is, if he commit a crime while here, amenable to our criminal law. Lord Mansfield, in *Campbell v. Hall*, Cowp. 208. Vattel, B. 2. ch. 8, §101-2. Story's Conf. of L. 518, 2d ed. Nay, says Locke, though he was an East Indian, and never heard of our laws. On Civ. Gov. B. 2, ch. 2. § 9.

But it is said his case belongs exclusively to the forum of nations, by which counsel mean the diplomatic power of the United States, and England, or in the event of their disa-



greement, the battle-field. I have already admitted that counsel may, under the 50th section of the Habeas Corpus act, allege and prove a want of jurisdiction. To show this the affidavit of McLeod is produced, from which the inference is sought to be raised that the Niagara frontier was in a state of war against the contiguous province of Upper Canada; that the homicide was committed by McLeod, if at all, as one of a military invading expedition, set on foot by the Canadian authorities to destroy the boat Caroline; that he was a British subject; that the expedition crossed our boundary, sought the Caroline at her moorings in Schlosser, and there set fire to and burned her, and killed Durfee, one of our citizens, as it is lawful to do in the time of war.

We need not stay to examine the conclusion, viz: a want of jurisdiction, if the premises be untrue. To warrant the destruction of property or the taking of life on the ground of public war, it must be what is called *lawful war*, by the law of nations, a thing which can never exist without the actual concurrence of the war-making power. This on the part of the United States is Congress: on the part of England the Queen. A state of peace and the continuance of treaties must be presumed by all courts of justice till the contrary be shown; and this is a *presumptio juris et de jure*, until the national power of the country in which such courts sit, officially declares the contrary. A learned English writer on the Law of Nations makes this remark. (1 Ward's L. of Nations, 291.) "Although I am aware that there is a great authority for the contrary opinion, yet it is upon the whole settled that no *private* hostilities, however general, or however just, will constitute what is called a legitimate and public state of war."

So far indeed has my Lord Coke carried this point, that if *all* the subjects of the King of England were to make war with another country in league with it, but without the assent of the King, there still would be no breach of the league between the two countries." 1 Bl. Com. 267, S. P. Again, in *Blackburne v. Thompson* 15 East. 81-90. Lord Ellenborough, Ch. J., delivering the opinion of the court of King's Bench, said, "I agree with the Master of the Rolls in the case of the *Pelican*, (1 Ed. Adm. Append. D.) that it belongs to the government of the country to determine in what relation of peace or war any other country stands towards it; and that it would be unsafe for courts of justice to take upon them without that authority, to decide upon those relations. But when the crown has decided upon the relation of peace or war in which another country stands to this, *there is an end of the question.*" 3 Camp. 66, 7 S. C. and S. P.

So far were the two governments of England and the United States from being in a state of war when the Caroline was destroyed, that both were struggling to avoid such a turn of the excitement then prevailing on the frontier, as might furnish the least occasion for war. Both had long maintained the relations of national amity; and have done so ever since under an actual treaty. So far from England fitting out a warlike expedition against the United States or any public body, she utterly disavows any such object; while on our side we have inflicted legal punishment on the leaders of the expedition of which Durfee made a part, on the ground that England was then at peace with us. Whatever hostile acts she did were aimed exclusively at private offenders; and if there was a war in any sense, the parties were England on one side and her rebel subjects aided by certain citizens of our own, acting in their private capacities and contrary to the wishes of this government, on the other.

In speaking of public war, I mean to include all national wars, whether general or partial, whether publicly declared or carried on by commissions, such as letters of marque, military orders, or any other authority emanating from the executive power of one country and directed against the power of another; whether the directions relate to reprisals, the sieges of towns, the capture or destruction of private or public ships, or the persons or property of private men belonging to the adverse nation. I mean to exclude all hostility of any kind not having for its avowed object the exercise of some influence or control over the adverse nation as

such. I deny that public war in this sense can be made out by affidavit or by any other medium of proof than the denunciation of war by one or both of the two nations who are parties to it.

There are but three sorts of war, *public*, *private*, and *mixed*. Grot. B. 1, ch. 3, § 1. Private war is unknown in civil society, except where it is lawfully exerted by way of defence between private persons. To constitute a public war, at least two nations are essential parties, in their corporate capacities. Mixed war can be carried on only between a nation on one side and private individuals on the other.—There is no fourth kind. Grot. ut Supra.

The right of one nation, or any of its citizens, to invade another, or enter on it and do any harm to its property or citizens, does not arise till public war be lawfully denounced in some form. It does not arise where one nation has a quarrel with private persons being within the territory of another. Whether there be any exception to this rule, I shall hereafter inquire.

Much was said in argument on the assumption that the state of hostilities on the frontier amounted to *unsolemn war*. In supposing this to be so, counsel came back to the very error which they repudiated in more general terms. A war is none the less *public* or *national* because it is *unsolemn*. All national wars are of *two kinds*, and two only; war by *public declaration*, or war denounced without such *declaration*. The first is called *solemn* or *perfect war*, because it is general, extending to all the inhabitants of both nations. In its legal consequences it sanctions indiscriminate hostility on both sides, whether by way of invasion or defence. The second is called *unsolemn* or *imperfect war*, simply because it is not made upon general, but special declaration. The ordinary instance is a commission of reprisal limiting the action of the nation plaintiff, to particular objects and purposes against the nation defendant.

It supposes a partial grievance, which can be redressed by a corresponding remedy or action; and does not authorize hostility beyond the scope of the special authority conferred. Such are several of the instances I have just now mentioned. But they are no less instances of public war. The attack on Copenhagen was mentioned on the argument as an instance of *unsolemn war*. So indeed it was. The British Admiral had a deputation from the war-making power of England to act against the war-making power of Denmark; to demand the surrender of the Danish fleet, and, on refusal, to destroy public or private property, or take life, not as a punishment of private offenders, but to coerce the nation.—Why was the attack made? Because Denmark would not surrender her navy voluntarily; and there was danger that France would take it either by force or under collusion on the side of Denmark.

Those who were in arms on the side of Denmark, acted not in their own right, but as agents of the nation to which they were subject. Before the remotest analogy can be seen in this to the case at the bar, the United States must be brought in and made defendant in their corporate capacity. It will be seen, I trust, by this time, that the instance derogates not in the least from the distinction that runs through all the writers on the international law, viz: that whether to constitute *solemn* or *unsolemn* war, the authority to act must emanate from the war-making power on one side, and be intended to influence that power on the other. Action under such a power is necessarily a collision between two nations; and answers to Grotius definition, viz: "That is a public war which is made on each side by the authority of the *civil power*. B. 1 ch. 3, § 1. At § 4, he divides this sort of war into *solemn* and *unsolemn*, of which latter he gives an instance B. 3 ch. 2, § 2, N. 3. Vid. also 2 Ruth. p. 507 and 548.

The distinction has been followed to this day, though the legal character of *unsolemn* war has since been changed.—"Both," says Rutherford, "are now lawful. The only real effect of a declaration of war is, that it makes the war a general one; whilst the imperfect sorts of war," such as *reprisals*, or acts of *hostility*, are partial or are confined to *particular* persons or things, or places. In *solemn* wars all the members of one nation act against the other under a ge-

neral commission; whereas in public wars which are not solemn, those members of one nation who act against the other, act under particular commissions." Ruth. b. 2, ch. 9, § 18. Vattel, b. 3, ch. 15.

Both sorts of war are lawful, because carried on under the authority of a power having, by the law of nations, a right to institute them. In any other war no belligerent rights can be acquired. All captures, all destruction of property, must be illegal; and the taking of life a crime. Short of this, war cannot be carried into an enemy's country, for the simple reason that there is no war to carry there, and no enemy against whom it can be exerted. The nation denouncing war must be explicit. "This makes it," says Vattel, "formal, and so lawful." "But nothing of this kind," says he, "is the case in an informal, illegitimate war, which is more properly called depredation. A nation attacked by enemies, without the sanction of a public war, is not under any obligation to observe towards them the rules of formal warfare. She may treat them as robbers." Vattel, B. 3, ch. 4, § 68. "Such unauthorized volunteers in violence," says Blackstone, "are not ranked among open enemies; but are treated like pirates and robbers."

It was accordingly conceded, in argument, that the Canadian provincial authorities had no inherent power to institute a public war. Vid. 2, Ruth. 495-7-8. We were, however, referred to Burlem. Pt. 4, ch. 3, § 18-19, to show that those authorities might do so on the presumption that their sovereign would approve the step; and that such approbation would reflect back, and render the war lawful from the beginning. On the assumption that this indirect mode of instituting war had actually been resorted to, counsel again bring themselves back to the fundamental error which led to this application. No one would deny that if the affair in question can be tortured into war between this nation and England, the United States might take possession of McLeod as a prisoner of war. In such a case, there would have been no need of this motion. But admitting the rule of Burlemaqui, and that counsel might, by the aid of England, get up an *ex post facto* war for the benefit of McLeod, this cannot be done by an *equivoque*; and especially in contradiction to the language of England herself.

Neither the provincial authorities nor the sovereign power of either country, have, to this day, characterized the transaction as a public war, *actual or constructive*. They never thought of its being one or the other. Both have spoken of it as a transaction *public on one side*, to be sure, but both claimed to hold fast the relations of peace. Counsel seem to have taken it for granted that a nation can do no public forcible wrong without its being at war, even though it deny all action as a belligerent. At this rate, every illegal order to search a ship, or enter on a disputed territory, or for the recaption of national property, even from an individual if either be done *vi et armis*, and work wrong to another nation or any of its subjects, would be public war, necessarily so, though the actor should deny all purpose of war. Were such a rule once admitted, England and the United States can scarcely be said to have been at peace since the Revolution which made them two nations. My endeavor has been to show on the question of war or peace, there is a *quo animo* of nations, by which we are bound.

To prevent all misunderstanding in the progress of the argument, it is proper to observe farther, that an act of jurisdiction exerted by inferior magistrates civil or military, for the arrest or punishment of individuals, is not *public war* of either kind. So long as the act is kept within legal compass, though its exertion be violent, where for instance the object is to suppress a riot, quell an insurrection, or repel the hostile incursions of individuals, it is, though sustained by a soldiery in arms, only one mode of enforcing the criminal law. It is like calling out the militia as a *posse comitatus* to aid a sheriff who is resisted in the execution of process. Force becomes lawful where the laws are set at defiance.—We see this in the frequent resort to soldiers of the regular army by the English, in cases of dangerous riots. Vid. Ruth. B. 2, ch. 9, sec. 9. Such a state of things, there, confers, no right to act offensively against individuals who reside or sojourn in the neighboring territory. Should they be pur-

sued and arrested, or killed, the act would be a naked usurpation of authority, like the sheriff of one county going into another to execute process. "If," says Rutherford, b. 2, ch. 9, sec. 9, "the magistrate, in any instance, use even the force with which he is entrusted in any other manner, or for any other purpose than is warranted by his appointment, this, as it is his own act, and not the act of the public, cannot be called a public war."

Sensible that all pretence of belligerent right was wanting, it is therefore, in the first view, a *lawful act of magistracy*, that the case was sought to be put by Mr. Fox, both in his letter to Mr. Forsyth and Mr. Webster. I take the words of his last letter, written after the question had been deliberately considered by his government:—"The grounds upon which the British Government make this demand" (the surrender of McLeod,) are these: "that the transaction on account of which Mr. McLeod has been arrested, and is to be put upon his trial, was a transaction of a *public character*, planned and executed by persons duly empowered by Her Majesty's colonial authority, to take any steps and to do any acts which might be necessary for the *defence* of Her Majesty's territories and for the *protection* of Her Majesty's subjects: and that *consequently*, these subjects of Her Majesty who engaged in that transaction were performing an act of *public duty*, for which they cannot be made *personally and individually* answerable to the laws and tribunals of any foreign country." In the same letter he re-states the opinion of his government that "it was a *justifiable* employment of force for the purpose of *defending* the British territory from the unprovoked attack of a band of British rebels and American pirates."

If this view of the transaction can be sustained, it was lawful *ab initio*. It required the Royal recognition to render it national. It came within the power which the Canadian authorities held from England to act in her place and stead. So long as they confined themselves within the territorial line of Canada, they were doing no more than the nature of their connexion with England required; sustaining that absolute and exclusive jurisdiction to which she is entitled with every other nation. Whether they had power, without pretence of being engaged in a war with the United States, or could derive power from England, to fit out an expedition, cross the line, and seize or destroy the property and persons of our citizens in this country, and whether any one acting under such an assumption of power, can be protected, is quite a different question.

One decisive test would be furnished by admitting that Durfee had committed a crime against England, for which he was liable to arrest and trial in Canada. None would pretend that any warrant from the English nation could be used to protect one of her officers from an action of false imprisonment, if he had merely arrested the offender on this side of the line. No one would pretend that a military order and the addition of the Queen's soldiers and sailors would, in such case, strengthen a plea of justification; nor would the subsequent approval of the nation.

This would have no greater effect than the original authority; accordingly it was not pretended on the argument that England had any right whatever to send and arrest Durfee as a fugitive from justice. The pretence that she had any such right would have been too absurd to bear the name of argument. Nor is it pretended that her magistrates, civil or military, had any power within our territory to seize and bind him over to keep the peace towards England or her subjects. "We cannot," says Vattel, b. 2, ch. 7, § 93. "enter the territory of a nation in pursuit of a criminal, and take him from thence."

"This is what is called a violation of territory; and there is nothing more generally acknowledged as an injury that ought to be repelled by every State that would not suffer itself to be oppressed."

The rule is too familiar, even as between the States of this confederacy, to require that it should be insisted on at large.

But the civil war which England was prosecuting against various individuals, was insisted on as a ground of protection; and I am free to admit that the strongest possible color

for the extraordinary right claimed, is to be derived from taking the United States to stand in the attitude of a neutral nation with respect to two parties engaged in actual war; England on one side, and Van Rensselaer, Durfee and their associated assailants on the other. This is what Grotius calls *mixed war*, being, as he says, "that which is made on one side by public authority, and on the other by mere private persons." B. 1, ch. 13, § 1. Rutherford retains the same distinction under the same name, in characterizing a contest between a nation as such, and its external enemies, coming in the form of pirates or robbers; associates, he says, who act together occasionally and are not united into civil society. Ruth. b. 2 ch. 9, § 9.

The several invasions of England by Perkin, Warbeck and Lord Herise, mentioned in 1 Hal. P. C. 164, the former of which is also noticed in Calvin's case, 7 Co. Rep. 11-12, are instances of such a war; the books saying that in England such offenders must be tried by martial law, for a reason which I shall hereafter consider. Let Durfee, then, be regarded as England's enemy, who has, with Wells, the boat owner and his boat, taken shelter in the neutral territory of the United States. Had England any right to follow him there? None, say the books, not even in the heat of contest, had he been an enemy pursued and flying for shelter across the line. 1 Kent's Com. 119-20. Independently of fresh pursuit, no writer on the law of nations ever ventured the assertion that one or two belligerents can lawfully do any hostile act against another, upon neutral ground.

If it be not a plain deduction from common sense, yet on principles in which publicists agree, all rightful power to harm the person or property of any one dropped from the hands of McLeod and his associates the moment they entered a country with which their sovereign was at peace. No exception can be made consistently with national safety. Make it in favor of the subordinate civil authorities of a neighboring state, and your territory is open to its constables; in favor of their military, you let in its soldiery; in favor of its sovereign, and you are a slave. Allow him to talk of the acts and machinations of our citizens, and send over his soldiers on the principle of protection, to burn the property or take the lives of the supposed offenders, and you give up to the midnight assault of exasperated strangers the dwelling and life of every inhabitant on the frontier, whom they may suspect of a disposition to aid their enemies. Never, since the treaty of 1783, had England, in time of peace with us, any more right to attack an enemy at Schlosser, than would the French have at London in time of peace with England.

"The full domain," says Vattel, "is necessarily a peculiar and executive right. The general domain of a nation is full and absolute; since there exists no authority upon earth by which it can be limited; it therefore excludes all right on the part of foreigners." B. 2, ch. 7, § 79. The same writer defines the jurisdiction of courts within that domain. "The sovereignty united to the domain, establishes the jurisdiction of the nation in her territories. It is her province to exercise justice in all places under her jurisdiction; to take cognizance of the crimes committed, and the differences that arise in the country." Id. § 84. "It is unlawful," says the same writer, "to attack an enemy in a neutral country, or to commit in it any other act of hostility." A mere claim of territory," says Sir William Scott, a British judge of admiralty, "is undoubtedly very high, *when the fact is established it overrules every other consideration.*" In the *Vrow, Anna Catharine*, 5 Rob. Adm. Rep. 20-1. And he refused to recognize a right of capturing an enemy's ship within a marine league of our coast. *The Anna La Porte*, id. 332. "We only exercise the rights of war in our own territory," says Bynkershoek, "or in the enemy's or in a territory which belongs to no one.—Quest. Jur. Pub. b 1, ch. 8.

"There is no exception," says Chancellor Kent, "to the rule that every voluntary entrance into neutral territory with hostile purposes is absolutely unlawful." 1 Kent's Com. 118, 4th ed. "The jurisdiction of courts," says Marshall Ch. J., "is a branch of that which is possessed by the nation as an independent sovereign power. The jurisdiction of the nation within its own territory is necessarily exclusive and absolute. It is susceptible of no limitation not

imposed by itself; any restrictions derived from an external source would imply a diminution of its sovereignty to the extent of the restriction, and an investment of that sovereignty to the same extent in that power which could impose such restriction." That these are not rules of yesterday; but have formed a part of the acknowledged law of nations for nearly two thousand years, may be seen in Grotius, b. 3, ch. 4, § 8, N. 2. He says we may not kill or hurt an enemy in a country at peace with us. "And this proceeds not from any privilege attached to their persons; but from the right of that prince in whose domains they are. For all civil societies may ordain that no violence be offered to any one in their territories but by a proceeding in a judicial way, as we have proved out of Euripides.

"If you can charge these guests with an offence, do it, by law, forbear all violence." But in courts of justice the merit of the person is considered, and this promiscuous purpose of hurting each other ceases. Livy relates that seven Carthaginian Galleys rode into a port belonging to Syphax, who, at that time, was at peace both with the Carthaginians and Romans; and that Scipio came that way with two Galleys. These might have been seized by the Carthaginians, before they had entered the port, but being forced by a strong wind into the harbor, before the Carthaginians could weigh anchor, they durst not assault them in the King's haven.—Several more modern instances of a like character are stated by Molloy de Jur. Mar. b. 1, ch. 1, § 16. It is said to be a rule of the modern law of nations, that not only must the parties refrain from hostilities while in a neutral port; but should one set sail, the other must not, till 24 hours after.—Marcus' L. of Nations, b. 8, ch. 6, note. And a doctrine about as strong was laid down by Sir William Scott, in the case of the *Twee Gebroeders*, 3 Rob. Adm. Rep. 162.

To apply these authorities: The affidavit of McLeod suggests that Durfee had, on the day before he was killed, aided in transporting military stores to Navy Island, and surmises that he intended to continue the practice. I put it again that the war, if any, was by England against him and his associates—not against the United States. But what right, I again ask, had she to pursue him into a territory at peace? That she had none I have shown from her own judge sitting in the forum of nations, from one of our judges sitting in the like forum, from authoritative publicists, and from all antiquity. I have shown that even punie faith felt itself bound to let an enemy go free whom it accidentally met on neutral ground. Within the territory of a nation at peace, all belligerent power, all belligerent right, is paralyzed. They have passed from the dominion of arms to that of law. "No violence can be offered," says Grotius, "but you must proceed in a judicial way." The only offence against our law which Durfee had committed, was in setting on foot a hostile expedition against England, with whom we were at peace.

So far I admit he was guilty according to the suggestion in McLeod's affidavit. He had made himself a principal in the aggression of McKenzie and others; for there are no accessories in misdemeanor. The courts were open.—Why did not England prefer her complaint? Was it competent for her to allege that our justice was too mild or too tardy, and therefore substitute the fire brand and musket?—To admit such a right of interference on any ground or in any way, says Marshall, would be a proportional diminution of our own sovereignty, of which judicial power makes a part. "The Law of Nations," says Rutherford, "is not the only measure of what is right or wrong in the intercourse of nations with each other. Every nation has a right to determine by positive law upon what occasions, for what purposes, and in what numbers, foreigners shall be allowed to come within its territories. Ruth. b. 2, ch. 9, § 6; Vattel, b. 2, ch. 7, § 94.

It follows from the authorities cited, that a right to carry on mixed war never extends into the territory of a nation at peace. It can be exercised on the high seas only, or in a territory which is vacant and belonging to nobody. It is in modern law confined mainly to the case of pirates. But even these cannot be arrested in the territory of a foreign na-

tion at peace with the sovereign of the arresting ship. Molloy de Jur. Mar. b. 1, ch. 1, 16.

Admitting then that England might protect a man against our jurisdiction by saying he did a public act under her authority, does it not behoove her at least to show that she was acting within the limits of her own jurisdiction, especially where she has prescribed them to herself? Shall her declaration serve to deprive us of power where she is exceeding her own? And this brings one to inquire whether the transaction in question be such as any national right so far examined can sanction. She puts herself, as we have seen, on the law of defence and necessity; and nothing is better defined nor more familiar in any system of jurisprudence, than the juncture of circumstances which can alone tolerate the action of that law. A force which the defended has a right to resist must itself be within striking distance. It must be menacing, and apparently able to inflict physical injury unless prevented by the resistance which he opposes. The rights of self-defence and the defence of others standing in certain relations to the defender, depend on the same ground, at least they are limited by the same principle.

It will be sufficient, therefore, to inquire of the right so far as it is strictly personal. All writers concur in the language of Blackstone, (3 Com. 4.) that, to warrant its exertion at all, the defender must be forcibly assaulted. He may then repel force by force, because he cannot say to what length of rapine or cruelty the outrage may be carried, unless it were admissible to oppose one violence with another. "But," he adds, "care must be taken that the resistance does not exceed the bounds of mere *defence* and *prevention*; for then the *defender* would himself become the *aggressor*." The condition upon which the right is thus placed, and the limits to which its exercise is confined by this eminent writer, is enough of itself, when compared with McLeod's affidavit, to destroy all color for saying the case is within that condition.

The Caroline was not in the act of making an assault on the Canada shore; she was not in a condition to make one; she had returned from her visit to Navy Island, and was moored in our own waters for the night. Instead of meeting her at the line and repelling force by force, the prisoner and his associates came out under orders to seek her wherever they could find her, and were in fact obliged to sail half the width of the Niagara river, after they had entered our territory, in order to reach the boat. They were the assailants: and their attack might have been legally repelled by Durfee even to the destruction of their lives. The case made by the affidavit is in principle this: a man believes that his neighbor is preparing to do him a personal injury. He goes half a mile to his house, breaks the door and kills him in his bed at midnight.

On being arraigned, he cites the law of nature; and tells us that he was attacked by his neighbor, and slew him on the principle of mere defence and prevention; or, in the language of the plea, *for an assault demesne*; "he made an assault upon me, and would then and there have beat me, had I not immediately defended myself against him, wherefore I did then and there defend myself as I lawfully might for the cause aforesaid; and in doing so did necessarily and unavoidably beat him, doing him on such occasion no unnecessary damage. And if any damage happened, it was occasioned by his assault and my necessary defence."

"To excuse homicide in self defence," says another English writer, "the act *must not be premeditated*. He must first retreat as far as he safely can, to avoid the violence threatened by the party whom he is obliged to kill. The retreat must be with an honest intention to escape; and he must flee as far as he conveniently can by reason of some impediment, or as far as the fierceness of his assault will permit him, and then in his defence, he may kill his adversary." 1 Russ. on Cr. 544.

Such is the law of mixed war, on neutral ground. The books cited are treating of no narrow technical rule peculiar to the common law; but the law of nature and of nations, the same every where, of such paramount price as no municipal or international law could ever overcome; and intelligible to every living soul! It is easily applied both as be-

tween individuals in civil society and nations at peace. Passing the boundaries of *strict* not *fancied* necessity, the remedy lies in suit by the State or citizen whose rights have been violated, or by demanding the person of the mischievous fugitive who has broken the criminal law of a foreign sovereign. Accordingly, Pufendorf, after considering the rights of private war in a state of nature, adds: "But we must by no means allow an equal liberty to the members of civil States. For here, if the adversary be a foreigner, we may resist and repel him any way at the instant when he comes violently upon us. But we cannot without the sovereign's command, either assault him whilst his mischief is only in machination, or revenge ourselves upon him after he has performed the injury against us." Puf. b. 2, ch. 5, § 7.—The sovereign's command must, as we have seen, in order to warrant such conduct in his subject, be a denunciation of war.

England, then, could legally impart no protection to her subjects concerned in the destruction of the Caroline, either as a party to any war, to any act of public jurisdiction exercised by way of defence, or sending her servants into a territory at peace. That her act was one of mere arbitrary usurpation, was not denied on the argument; nor has this, that I am aware, been denied by any one except England herself. I should not, therefore, have examined the nature of the transaction to any considerable extent, had it not been necessary to see whether it was of a character belonging to the law of war or peace. I am entirely satisfied it belongs to the latter: that there is nothing in the case except a body of men, without color of authority, bearing muskets and doing the deed of arson and death; that it is impossible even for diplomatic ingenuity to make it a case of legitimate war, or that it can plausibly claim to come within any law of war, public, private or mixed. Even the British Minister is too just to call it war; the British Government do not pretend it was war.

The result is that the fitting out of the expedition was an unwarrantable act of jurisdiction exercised by the provincial government of Canada over our own citizens. The movements of the boat had been watched by the Canadian authorities from the opposite shore. She had been seen to visit Navy Island the day before. Those authorities, being convinced of her delinquency, sentenced her to be burned; an act which all concerned knew would seriously endanger the lives of our citizens. The sentence was, therefore, equivalent to a judgment of death; and a body of soldiers were sent to do the office of executioners.

Looking at the case independently of British power, no one could hesitate in assigning the proper character to such a transaction. The parties concerned having acted entirely beyond their territorial or magisterial power, are treated by the law as individuals proceeding on their own responsibility. If they have burned, it is arson; if a man has been killed, it is murder.

This brings us to the great question in the cause. We have seen that a capital offence was committed within our territory in time of peace; and the remaining inquiry is whether England has placed the offenders above the law and beyond our jurisdiction, by ratifying and approving such a crime. It is due to her in the first place, to deny that it has been so ratified and approved. She has approved a *public act of legitimate defence, only*. She cannot change the nature of things. She cannot turn that into lawful war which was murder in time of peace. She may, in that way, justify the offender as between him and his own government. She cannot bind foreign courts of justice by insisting that what in the eye of the whole world was a deliberate and prepared attack, must be protected by the law of self-defence.

In the second place, I deny that she can in time of peace, send her men into our territory, and render them impervious to our laws by embodying them and putting arms in their hands. She may declare war if she claim the benefit of peace, as both nations have done in this instance, the moment any of her citizens enter our territory, they are as completely obnoxious to punishment by our laws, as if they had been born and always resided in this country.

I will not, therefore, dispute the construction which coun-



sel put upon the language or the acts of England. To test the law of the transaction, I will concede that she had by act of Parliament conferred all the power which can be contended for in behalf of the Canadian authorities, as far as she could do so. That, reciting the danger from piratical steamboats, she had authorized any colonel of her army or militia, on suspecting that a boat lying in our waters intended illegally to assault the Canada shore, to send a file of soldiers in the day or night time, burn the boat and destroy the lives of the crew. That such a statute should be executed; but that one of the soldiers failing to make his escape should be arrested, and plead the act of Parliament. Such an act would operate well, I admit, at Chippewa, and until the men had reached the thread of the Niagara river. It would be an impenetrable shield till they should cross the line of that country where Parliament have jurisdiction. Beyond, I need not say it must be considered as waste paper. Even a subsequent statute ratifying and approving the original authority could add nothing to the protection proffered by the first. It would be but the junction of two nullities. So says Mr. Locke, (on Gov. B. 2, ch. 19, § 239,) of a king even in his own dominions: "In whatsoever he has *no authority* there he is *no king*, and may be resisted; for where-soever the *authority ceases*, the *king ceases too*, and becomes like other men who have no authority." I shall not cite books to show that the Queen of England has no authority in this State in a time of peace.

I will suppose a stronger case; that England being at war with France, should by statute or by order of the queen, authorize her soldiery to enter our territory and make war upon such French residents as might be plotting any mischief against her. Could one of her soldiers, indicted for the murder of a French citizen, plead such a statute or order in bar? If he could not as a stranger and sojourner in our land, I need not inquire whether the same measures of protection be due to Durfee our fellow-citizen.

"The laws of no nation," says Mr. Justice Story, "can justly extend beyond its own territories except so far as regards its own citizens. They can have no force to control the sovereignty or rights of any other nation within its own jurisdiction. It would be monstrous to suppose that our revenue officers were authorized to enter into any foreign ports and territories for the purpose of seizing vessels which had offended against our laws." The Appollon, 9 Wheat. Rep. 362, 371. He has examined the question at large in his book on the conflict of laws, ch. 2, § 17 to 22, p. 19 of 2d. ed. The result is that no nation is found to respect the laws or executive acts of any foreign government intended to control or protect its citizens while temporarily or permanently out of their own country, until it first declare war. Its citizens are then subject to the laws of war. Till that comes, they are absolutely bound by the laws of peace. While this prevails, a foreign executive declaration saying, "My subject has offended against your criminal laws. I avow this act. Punish me; but impute nothing to him," is a nullity.

As well might a nation send a company of soldiers to contract debts here, and forbid them to be sued, saying, "The debt was on my account, discharge my men, and charge it over against me!" Indeed it was urged on the argument that the letter of Mr. Fox had taken away the remedy of Wells the boat owner, by an action of trespass against McLeod for burning the boat. This action having it seems been settled, counsel resorted to it as an illustrative case.—Another action brought against him for shooting a horse on the same occasion, it was said is also defeated by the same principle. Counsel spoke as if Schlosser had undergone a sack, and its booty had become matter of belligerent right in the soldiery. Surely, the imagination of counsel must have been heated. It seems necessary to remind them again and again, even in affirmance of their own admission, that we are sitting to administer the laws of a country which was at peace with England when she sent in her soldiery.

If they mean that the approval and demand in Mr. Fox's letter, should, under the law of peace, have the sweeping effect which is claimed for it, they are bound to show that the royal mandate improves by importation. The queen has

no power at home to take away or suspend, for a moment, the jurisdiction of her own Courts. Nor would a command to discharge any man without trial who should be suspected of having murdered her meanest subject, be deemed a venial error. It is justly a source of Briton's pride, that the law by which his life and property are protected cannot be suspended even by his monarch; that the sword of Justice is holden by her own independent ministers, as a defence for those who do well; but constantly threatening, and ready to descend upon the violator of property or personal safety, as the instrument of a municipal law which knows not of any distinction between the throne and the cottage; a law constantly struggling, in theory at least, to attain a perfection that shall bring all on earth to do it reverence; "the greatest as fearing its power, and the least as not unworthy of its care." That case is our own.

Much was said on the argument about the extreme hardship of treating soldiers as criminals, who, it was insisted, are obliged to obey their sovereign. The rule is the same in respect to the soldier as it is with regard to any other agent who is bound to obey the process or command of his superior. A sheriff is obliged to prosecute a man who is regularly sentenced to capital execution in this State. But should he execute a man in Canada under such sentence he would be a murderer. A soldier, in time of war between us and England, might be compelled by an order from our Government, to enter Canada and fight against and kill her soldiers. But should Congress pass a statute compelling him to do so on any imaginable exigency, or under any penalty, in time of peace, if he should obey and kill a man, he would be guilty of murder.

The mistake is in supposing that a sovereign can compel a man to go into a neighboring country, whether in peace, or war, and do a deed of infamy. This is exemplified in the case of spies. A sovereign may solicit and bribe, but he cannot command. A thousand commands would not save the neck of a spy, should he be caught in the camp of the enemy. Vattel, b. 7, ch. 10, sec. 179. It is a mistake to suppose that a soldier is bound to do any act contrary to the law of nations, at the bidding of his prince—Vattel, b. 1, ch. 4, sec. 53–4, id. b. 3, ch. 2, sec. 15. Grot. b. 2, ch. 26, sec. 3, n. 2 and 3. Puf. b. 8, ch. 1, sec. 6–7. But if he were, he must endure the evil of living under a sovereign, who will issue such commands. It does not follow that neighboring countries must submit to be infested with incendiaries and assassins because men are obnoxious to punishment in their own country, for being desirous to go through life with bloodless hands and a quiet conscience.

The Parisians thought themselves bound to obey Charles IX, when he ordered them to massacre the Huguenots. Suppose they had observed a similar order to massacre the Huguenots in England, would such an order have been deemed a valid plea on one of them being arraigned in the Queen's Bench? It might have been pleaded to an accusation of murder in France—it would have been good as between the criminal and his sovereign; but hardly, I suspect, have been deemed so by Queen Elizabeth's Judges. The simple reason would have been that Charles IX, had no jurisdiction in England. He might have threatened the government and declared war, if such a meritorious servant, a defender of the church, should not be liberated by the Judges. But there is no legal principle on which the decrees of foreign courts or the legislator of foreign Parliaments could have ousted the judges of jurisdiction.

Charles might have ordered his minister to call the massacre a *public act*, planned and executed by himself, he having *authority to defend and protect* his established church; and demanded a release of the man. All this would have added no force to the plea. Neither Elizabeth herself, nor any of the Tudors, arbitrary as the government of England, was, would have had power directly to take away the jurisdiction of the judges. Coke, with a law book in his hand could have baffled the sceptre within its own territorial jurisdiction. It should, in justice be remarked, that one, the governor of Bayonne, and many of his companions in arms refused to co-operate in the massacre at home, and were never punished for disobedience. He replied to the King, that

he had sounded his garrison, and found many brave soldiers among them, but not a single executioner. Suppose a prince should command a soldier to commit adultery, incest or perjury; the prince goes beyond his constitutional power; and has no more right to expect obedience than a corporal who should summarily issue his warrant for the execution of a soldier. *Vid. Burl. L. of Nature*, Vol. 1, pt. 2, ch. 11, § 8.

Every political and civil power has its legal limits. The autocrat may indeed take the lives of his own subjects, for disobeying the most arbitrary commands; but even his behests cannot impart protection to the merest slave as against a foreign government. Public war itself has jurisdictional limits. Even that, in its pursuit after a flying enemy, is, we have seen, arrested by the line of a country at peace. Besides the limit which territory thus imposes, there are also, even in general war, other jurisdictional restraints, as there are in courts of justice. An order, emanating from one of the hostile sovereigns, will not justify to the other every kind of perfidy. The case of spies has been already mentioned. An emissary sent into a camp with orders to corrupt the adverse general, or bribe the soldiery, would stand justified to his immediate sovereign. *Vattel*, b. 3, ch. 10, sec. 181; though even he could not legally punish a refusal. In respect to the enemy, the orders would be an obvious excess of jurisdiction. The emissaries sent by Sir Henry Clinton in 1781, to seduce the soldier of the Pennsylvania line, falling into the hands of the Americans, were condemned and immediately executed. 4 *Marsh. Life of Wash.* 366, 1st ed. Entering the adverse camp to receive the treacherous proposition of the general is an offence much more venial. It is even called lawful in every sense, as between the sovereign and employee. *Vattel*, b. 3, ch. 10, § 191. Yet, in the case of Major Andre, an order to do so was, as between the two hostile countries, held to be an excess of jurisdiction.

These cases are much stronger than any which can be supposed between nations at peace. In time of peace, every citizen, while within his own territory, has a double right to suppose himself secure; the legal inviolability of that territory, and the solemn pledge of the foreign sovereignty.

The distinction that an act valid as to one may be void as to another, is entirely familiar. A man who orders another to commit a trespass, or approves of a trespass already committed for his benefit, may be found to protect his servant, while it would take nothing from the liability of the servant to the party injured. As to him, it could merely have the effect of adding another defendant, who might be made jointly or severally liable with the actual wrong-doer. A case in point is mentioned by *Vattel*, b. 3, ch. 2, § 15. If one sovereign order his recruiting officer to make enlistments in the dominion of another, in time of peace between them, the officer shall be hanged notwithstanding the order, and war may also be declared against the offending sovereign. *Vid. a like instance id. b. 1, ch. 6, § 75.*

What is the most legal effect of a foreign sovereign, approving of the crime his subject committed in a neighboring territory? The approval, as we have already in part seen, can take nothing from the criminality of the principal offender. Whatever obligation his nation may be under to save him harmless, this can be absolutely done only on the condition that he confine himself within her territory. *Vattel*, b. 2 ch. 6, § 74. Then, by refusing to make satisfaction, to furnish, or to deliver him up, on demand from the injured country, or by approving the offence, the nation, says *Vattel*, becomes an accomplice, *id. § 76.* *Blackstone* says, an accomplice or abettor. 4 *Com.* 68; and *Rutherford*, still more nearly in the language of the English law, an accessory after the fact, b. 2, ch. 9, § 12. No book supposes that such an act merges the original offence, or renders it imputable to the nation alone. The only exception lies in the case of a crime committed by an ambassador. Not because he is guiltless, but by reason of the necessity that he should be privileged, and the extra-territorial character which the law of nations has, therefore, attached to his person.—Hence, say the books, he can be proceeded against no otherwise than by a complaint to his own nation, which will make itself a party on his crime, if it refuse either to punish him

by its authority or deliver him up to be punished by the offended nation. *Ruth. b. 2, ch. 9, § 20.*

Independently of this exception, therefore, *Rutherford* insists, with entire accuracy, that, “as far as we concur in what another man does, so far, the act is our own; and the effects of it are chargeable on us as well as upon him.”—*Ruth. b. 1. ch. 17, § 6.* A nation is but a moral entity; and, in the nature of things, can no more wipe out the offence of another by adopting it, than could a natural person. And the learned writer just cited accordingly treats both cases as standing on the same principle. *B. 2, ch. 9, § 12.* “Nothing is more usual,” says *Puffendorf*, “than that every particular accomplice in a crime, be made to suffer all that the law inflicts.” *B. 3, ch. 1, § 5.* *Vattel* says of such a case, b. 2, ch. 6, § 75, “If the offended State have the offenders in her power, she may, without scruple, punish him. Again, if he have escaped and returned to his own country, he may apply for justice to his sovereign, who ought, under some circumstances, to deliver him up—*id. § 76.* Again, he says, she may take satisfaction for the offence herself when she meets with the delinquent in her own territories.” *B. 4, ch. 4, § 52.* I before cited two instances in which positive orders by his sovereign to commit a crime are distinctly held to render both the nation and its subjects obnoxious to punishment. *Vattel*, b. 3, ch. 2, § 15; *id. b. 1, ch. 6, § 75; vid. also 1 Burl. pt. 2, ch. 11, § 10.*

Was it ever suggested by any one before the case of *McLeod* arose, that the approval by a monarch should oust civil jurisdiction or even so much as mitigate the criminal offence; nay, that the coalition of great power with great crime does not render it more dangerous, and therefore more worthy of punishment under every law by which the perpetrators can be reached!

Could approbation and avowal have saved the unhappy Mary, Queen of Scots, where would have been the civil jurisdiction of Elizabeth's commissioners? The very charge of an attempt by Mary to dethrone and assassinate the British Queen implied the approbation and active concurrence of one crowned head at least. Could the criminal have been saved by any such considerations, the enterprise might truly have been avowed as one which had been planned by the leading governments of Catholic Europe.

The Pope then, having at least some pretensions to jurisdiction, even in England, had openly approved it under his seal. The Spanish ambassador at Paris was a party relied upon to follow up the event with an invasion. Would James, the son of the accused, have hesitated to join in the avowal, could he have been instrumental in saving the life of his mother? Yet the principle was not thought of in the whole course of that extraordinary affair. Mary openly avowed her general treason as a measure of defence and protection to herself, though she denied all participation in the plot to assassinate Elizabeth. Yet the only ground taken was, the technical one (nor the less valid because technical) that the accused was personally privileged as a monarch, and could not be tried under the English law which required a jury composed of her peers.

It was added that she came into the kingdom under the law of nations, and had enjoyed no protection from the English law, having been continually kept as a prisoner. *Vide* the case stated and examined in the right of international law, 2 *Ward's L. of Nations*, 564. No one pretended that her approbation, or that of a thousand monarchs could have reflected any degree of exemption from judicial cognizance, upon the alien servants in her employment.

Such a principle would have filled England with an army in time of peace, disguised as Jesuits; for the bigotry of monarchs would at this day, have led them to avow any system of pernicious espionage which could have served the purposes of the Pope by executing his Bull of excommunication against Elizabeth.

Canada again being disturbed, and our citizens aiding the revolt by boats, provisions, or money, the purposes of England would certainly require such conduct to be put down at all events. Adopt the principle that she may by avowal protect her soldiery who steal upon our citizens at midnight, from all punishment at the common law, and before you



could get even a remonstrance from Washington, your whole frontier might be made a *tabula rasa*. No. Before England can lawfully send a single soldier for hostile purposes she must assume the responsibility of a public war.

Her own interests demanding the application of the rule, she perfectly understands its force. What regard have her courts ever paid to the voice of the public authority on this side of the line, when it sought to cover even territory to which the United States denies her title? The mere act of taking a census in the disputed territory under the authority of Maine, was severely punished by the English municipal magistrates. Had a posse of constables or a company of militia bearing muskets been sent to aid the censor, in what book or in what usage could she have found that this would divest her courts of jurisdiction, and put the cabinet of St. James to a remedy by remonstrance of war? Had the posse been arrested by her sheriff, and in mere defence had killed him, and this nation had, after some two or three years, avowed the act, would she have thought of conceding that in the meantime, all power of her courts over the homicides had been suspended, or finally withdrawn?

But it is said of the case at bar, here is more than a mere approval by the adverse government; that an explanation has been demanded by the Secretary of State, and the British Ambassador, has insisted on McLeod's release, and counsel claim for the joint diplomacy of the United States and England some such effect upon the power of this court as a certiorari from us would have upon a county court of general sessions. It was spoken of as incompatible with a judicial proceeding against McLeod in this State; as a suit actually pending between the two nations, wherein the action of the general government comes in collision with and supersedes our own.

To such an objection the answer is quite obvious. Diplomacy is not a judicial executive function: and the objection would come with the same force whether it were urged against proceeding in a court of this State, or of the United States. Whether an actual exertion of the treaty-making power, by the President and Senate, or any power delegated to Congress by the Federal Constitution, would work the consequences contended for, we are not called upon to inquire; whether the Executive of the nation, (supposing the case to belong to the national court,) or the Executive of this State might not pardon the prisoner, or direct a *nolle prosequi* to be entered, are considerations with which we have nothing to do.

The Executive power is a constitutional department in this, as in every well organized government, entirely distinct from the judicial. And that would be so, were the National Government blotted out, and the State of New York left to take its place as an independent nation.

Not only are our constitutions entirely explicit in leaving the trial of crimes exclusively in the hands of the judiciary; but neither in the nature of things, nor in sound policy, can it be confined to the Executive power. That can never act upon the individual offender; but only by requisition on the foreign government; and in the instances before us, it has no power even to inquire whether it be true that McLeod has personally violated the criminal laws of this State. It has charge of the question in its national aspect only. It must rely on accidental information and may place the whole question on diplomatic considerations. These may be entirely wide either of the fact or the law as it stands between this State and the accused. The whole may turn on questions of national honor, national strength, the comparative value of national intercourse, or even a point of etiquette.

Upon the principle contended for, every accusation which has been drawn in question by the executive power of two nations, can be adjusted by negotiation or war only. The individual accused must go free, no matter to what extent his case may have been misapprehended by either power.—No matter how criminal he may have been, if his country, though acting on false representations of the case, may have been led to approve of the transaction and negotiate concerning it, the demands of criminal justice are at an end.

Under circumstances the executive power might in the exercise of its discretion, be bound to disregard a venial of-

fence as no breach of treaty which the judiciary would be obliged to punish as a breach of international law. Suppose some of our citizens to attack the British power in Canada, and the Queen's soldiers to follow the heat of repelling them by crossing the line and arresting the offenders, doing no damage to any one not actually engaged in the conflict. The line being absolutely impassable in law for hostile purposes, the arrest on this side would be a technical false imprisonment, for which we should be bound to convict the soldiers, if arrested here; while the executive power might overlook the intrusion as an accidental and innocent violation of territory. Vattel, b. 4, ch. 4, § 43.

I forbear now to notice particularly some of the legal passages and cases which were referred to by the prisoner's counsel in the course of his argument; not for the reason that I have omitted to examine them, but because I consider them inapplicable under the views I have felt it my duty to take of the prisoner's case. They were principally of three classes: First, passages from books on the law of nations as to what is public war and the protection due to soldiers while engaged in the prosecution of such a war by their sovereign against a public enemy; secondly, the general obligations of obedience as between him and his sovereign, whether in peace or war; and thirdly, cases from our own books relative to the conflicting power of the General and State Governments. The case of *Elphinstone v. Bedreechund*, 1 Knapp's Rep. 316, related to the breach of an actual military capitulation entered into during an acknowledged public war between England and one of the petty sovereignties of India.

In considering the question of jurisdiction, I have also forbore to notice that branch of the affidavit which sets up an alibi. McLeod's counsel very properly omitted to insist on it as at all strengthening the claim of privilege. Indeed he said the clause was put in merely by way of potestando. If it was inserted with the intention of having it taken as true upon this motion, that alone would destroy all pretence for any objection to our jurisdiction.

His surrender was demanded upon the hypothesis that he was acting under public authority. If in truth he was not, or was not acting at all, he enjoys, according to his own concession no greater privilege than any other man. The essential circumstance relied on as going to the question of jurisdiction, turns out to be fictitious; and the argument must be that we have no power to try the question of alibi. On that and every other lawful ground of defence he will be heard by counsel on his trial.

It is proper to add, that if the matters urged in argument could have any legal effect in favor of the prisoner, I should feel entirely clear that they would be of a nature available before the jury only. And that according to the settled rules of proceeding on Habeas Corpus, we should have no power ever to consider them as a ground for discharging the prisoner. I took occasion to show in the outset that in no view can the evidence for the prosecution or the defence be here examined, independently of the question of jurisdiction, and I entertain no doubt that whenever an indictment for a murder committed within our territory is found, and the accused is arrested, these circumstances give complete jurisdiction.

I know it is stated by the English books, that even in a case of mixed war, viz: a hostile invasion of England by private persons, the common law courts have not jurisdiction. It was so held in *Perken Warbeck's case*. He was punished with death by sentence of the constable and marshal, who it is said in *Calvin's case*, 7 Co. Rep. 11, 12, had exclusive jurisdiction. Dy. 145, a S. P. 1 Curw. Hawk. ch. 2, § 1, p. 9. But that rests on a distribution of judicial power entirely unknown to this state or this nation. The court of the constable and marshal seems to have had an ancient right, not very well defined by the common law, of trying all military offences by the stat. R. 2, ch. 2 (vide 2 Pick St. at Large, p. 310,) which was passed to settle conflicting claims of jurisdiction between that and the ordinary courts, vide also 3 Inst. 48. The whole is obviously inapplicable to this country; and is pretty much obsolete in England. It never can have been held in England or any country, that where a common law Court is proceeding on indictment for

a common law offence against one arrested and brought before it, a mere suggestion by affidavit that the offence imputed pertains to deeds of arms, either in a public or mixed war shall take away power to try whether the prisoner be guilty or not of the charge contained in the indictment.

All homicide is presumed to be malicious, and therefore, murder, until the contrary appear upon evidence. "The matter of fact," says Foster, "viz: whether the facts alleged by way of justification, exercise, or alleviation, are true, is the proper and only province of the jury." Lawful defence by an individual, (still recognized, it seems, by the law of nature under the name of private war, *Grot. b. 1, ch. 3, § 2*.) is one instance. Foster, 273. That he acted in right of a nation, or under public authority, is no more than matter of justification. It is like the case mentioned in Foster, 265; the public execution of malefactors; and the jury must judge whether the authority may not have been exceeded. But more, when either public or mixed war is alleged in mitigation, either allegation may be fictitious; and it shall be put to the jury, on the proper evidence whether it existed or not. The reason is plain, says Lord Hale, for the war may be begun by the foreign prince only, where it is public; and he supposes it still plainer where the war is between the kind and an invading alien being the subject of a nation with whom the king is at peace. 1 Hal. p. 6, 163. The same writer puts the case of plunder or robbery by an enemy, *tempus belli*, which would not in general be burglary. Yet he admits it might be otherwise if the act were not done in the regular prosecution of the war, *id.* 565.

Suppose a prisoner of war to escape, and that on his way home, and before he crosses the line, he should set fire to a farm house in the night and kill the inmates; is there a doubt that he might properly be convicted either of arson or murder? When a grand jury have charged that a man has committed murder in this state, I can imagine no case, whether the charge relate to the time of open public war or peace, in which he can claim exemption from trial. If he show that he was in truth acting as a soldier in time of public war, the jury will acquit him. The judge will direct them to obey the law of nations, which is undoubtedly a part of the common law. So if the accused were acting in defence against an individual invader of his country. But above all things is it important in the latter case, for the jury to inquire whether his allegation of defence be not false or colorable.

They cannot allow as an act of defence, the wilful pursuing even such an enemy, though dictated by sovereign authority into a country of peace with the sovereign of the accused, seeking out that enemy and taking his life. Such indeed, can be nothing but an act of vengeance. It can be nothing, but a violation of territory, a violation of the municipal law, the faith of treaties and the law of nations. The government of the accused may approve, diplomacy may glow, but a jury can only inquire whether he was a party to the deed, or to any act of illegal violence, which he knew would probably endanger human life. If satisfied that he was not, as I sincerely hope they may be, upon the evidence in the case before us, they will then have the pleasant duty to perform of pronouncing him not guilty. But whatever may be their conclusion, we feel the utmost confidence that the prisoner, though a foreigner, will have no just cause to complain that he has suffered wrong at the hands of an American jury.

At our hands the prisoner had a right to require an answer upon the facts presented by his papers, whether in law he can properly be holden to a trial. We have had the choice but to examine and pronounce upon the legal character of those facts, in order to satisfy ourselves of the bearing they might have on the novel and important question submitted. That examination has led to the conclusion that we have no power to discharge the prisoner.

He must, therefore, be remanded, to take his trial in the ordinary forms of law.

#### In Her own Silks.

Miss Charlotte Mitchell, of Georgia, appeared on her wedding day dressed entirely in silk of her own manufacture—cap, gloves, stockings and dress—equal to the best pongee.

#### Death of a Hero.

Gen. Samuel Dale, one of the bravest of the pioneers of the South West, died at his residence in Lauderdale County, Mississippi, on the 23d of April. A writer in the *Natchez Free Trader*, relates the following incidents in his life:

"As a scout—a pilot to the emigrants who blazed the first path through the Creek nation, from Georgia to the Tombigbee, with arms in their hands; and subsequently, as a spy among the Spaniards at Pensacola, and as a partisan officer during the most sanguinary epochs of the late war—present at every butchery—remarkable for 'hair breadth escapes;' for caution and coolness in desperate emergencies; for exhibitions of gigantic personal strength, and undaunted moral courage—his story is studded over with spirit-stirring incidents, unsurpassed by any thing in legend or history.

His celebrated *Canoe fight*, where, unaided, in the middle of the Alabama, then in its spring flood, he fought seven warriors with clubbed rifles, and killed them all, and rowed to shore with the corpse of his last antagonist under his feet would be thought fabulous, if it had not been witnessed by twenty soldiers standing near the bank, who not having a boat, could render him no assistance. Some years before, he was attacked by two warriors, who shouted their war-whoop as he was kneeling down to drink, and made at him with their tomahawks. He knifed them both, and though bleeding from five wounds, he retraced their trail nine miles, crept stealthily to their camp, brained three sleeping warriors, and cut the thongs of a female prisoner, who lay by their side. While in this act, however, a fourth sprang upon him from behind a log. Taken at such disadvantage, and exhausted by the loss of blood, he sank under the serpent-grasp of the savage, who, with a yell of triumph, drew his knife, and in a few moments would have closed the contest. At that instant, however, the woman drove a tomahawk deep into the head of the Indian, and thus preserved the life of her deliverer."

#### Advantages of Railroads.

The railroad facilities in New Jersey are beginning to appear and will daily increase. The immense supply of beans, peas, and other vegetables which reach this city and Philadelphia via railroad, is incredible. Car after car filled with supplies, leaves Burlington, New Jersey, and the productive lands in the vicinity. The supply this year is much greater than usual, and will continue to increase; but when the Erie Railroad is in operation, then will be seen the increased supply of our markets to its greatest advantage. When the fine rich lands of Orange, Delaware and Ulster counties, throw their productions into our markets by the railroad, then it will be seen that living in New York will be cheaper than in any city of its magnitude in the world. There is no mistake—it cannot be otherwise. In five years the wild woods of Delaware and Ulster, will supply the largest portion of the vegetable and meat markets of New York.

[*N. Y. Times.*]

#### Mortality among Stock.

The Centreville, Md. Times observes: We have been informed by the Assessors of this county, that while upon the Island in the discharge of their duty, they kept a record of the number of cattle and sheep lost by the farmers during the last winter and spring. After passing over three-fourths of the island, they kept no account of these losses, finding it to be troublesome, and to interfere with their business. The number of cattle that died in that part of the island where the account was taken, amounted to 500; the number of sheep was greater. The loss in other sections of the county is said to be greater than on the Island. Assuming the island to be one-seventh part of the county, and the deaths to have occurred in the same proportion, the number of cattle lost by the farmers in this county last winter, will be 2,800. But 3,000 is considered a more correct estimate, as the mortality was greater in other parts of the county than it was on the island. Of the number of sheep that died, no correct estimate can be made. Some farmers lost all they had. Mr. William Paca, we learn, lost over two hundred.

## Report on a Home Squadron.

HOUSE OF REPRESENTATIVES, }  
July 7, 1841. }

Mr. Thomas Butler King, from the Committee on Naval Affairs, to whom the subject had been referred, submitted the following Report:

The Committee on Naval Affairs, to whom was referred so much of the President's Message and accompanying documents as relates to the Navy, ask leave to report on the expediency of providing for the support of a home squadron, as recommended in the report of the Secretary of the Navy.

The changes which the introduction of steam power has already effected and is constantly producing in the naval armaments of the maritime Powers of Europe, evidently require the most prompt and efficient action on the part of the Government of the United States, to meet this new and powerful auxiliary in naval warfare, by so changing the construction and employment of our Navy as most effectually to protect our commerce and guard our sea-coast against the sudden approach of an enemy employing this new and formidable description of force; and it is the opinion of the Committee that no measure is more imperiously demanded by every consideration of prudence and safety than that recommended in the report of the Secretary—the employment of a home squadron, composed in part of armed steamers. He very justly remarks, that “Had a war with Great Britain been the result, as at one time was generally feared, of the subjects of difficulty now in course of adjustment between that power and the United States, not only would our trade have been liable to great interruption, and our merchants to great losses abroad, but a naval force, comparatively small, might, on our very shores, have seized our merchant ships and insulted our flag, without suitable means of resistance or immediate retaliation being at the command of the Government. To guard against such a result—to be ever ready to repel or promptly to chastise aggression upon our own shores, it is necessary that a powerful squadron should be kept afloat at home. This measure is recommended by other considerations. There is no situation in which greater skill or seamanship can be exercised and acquired than on the coast of the United States; and in no service would our officers and seamen become more thoroughly initiated in all that is necessary for the national defence and glory. In that service, aided by the coast survey now in progress, a thorough acquaintance would be gained with our own sea-coast, extensive and hitherto but imperfectly known; the various ports would be visited; the bays, inlets, and harbors carefully examined; the uses to which each would be made available during war, either for escape, defence or annoyance, be ascertained; and the confidence resulting from perfect knowledge would give us, what we ought surely to possess a decided advantage over an enemy on our own shores.”

In addition to the excellent and comprehensive view presented by the Secretary, the Committee beg leave to submit a few observations in regard to the present state of the sea-coast defences, their efficiency in case of war, and the measures now being adopted by Great Britain and France to change their naval armaments from the common vessels of war to armed steamers. It is a fact almost too notorious for remark here, that our fortifications are in a most inefficient condition. Many of those that have been completed are not supplied with cannon, others are going rapidly to decay—some are unfinished and progressing so slowly that it will require many years to complete them; none of them are properly garrisoned, and some have not a man to keep the gates closed. These fortresses have cost immense sums of money, and if well supplied with guns and garrisons would afford but partial protection to a few points on our sea-coast and to our armed squadrons in time of war. They could not defend us against the armed steamers of an enemy, which might pass them in the night, or avoid them by entering harbors where there are no fortifications. This last remark is peculiarly applicable to the Southern coast, where there are numerous harbors on the Atlantic and the Gulf of Mexico, and not a fort, from Charleston to Mobile, in a condition to fire a gun. In the event of a war with France or Great

Britain, the fortifications at Pensacola, and perhaps others, might be seized and held by the enemy, or any of our unprotected harbors might be entered by fleets of armed steamers loaded with black troops from the West Indies to annoy and plunder the country. The Northern portion of the Atlantic coast, where such vast sums have been expended to place it in a state of defence, would by no means be secure against the rapid movements of such an enemy. The harbor of New York itself might be entered through the inlet at Amboy and Staten Island Sound, and the fortifications at the Narrows entirely avoided. The city might be sacked or laid under contribution before a sufficient force could be collected to prevent the approach or escape of so formidable an enemy; and it is seriously to be feared that there is not a harbor on the whole coast, however well defended against the sailing ships of an enemy, that these steamers might not enter, by avoiding the forts or passing them in the night.

If this is true, it must be perceived that not only our commerce, but our cities with all their wealth, would be at the mercy of an enemy employing a force so rapid and certain in its movements. It, therefore, becomes a question of the most urgent and vital importance to the people and Government of the United States how they can soonest and best provide the means of meeting this new and powerful auxiliary in maritime war. The employment of a home squadron, as recommended by the Secretary of the Navy, must be justly regarded as not only the best means of meeting any sudden emergency that may arise, but of leading to such ulterior measures as may be found necessary to give to our commerce and sea-coast the greatest possible security.

As connecting itself immediately with this subject and calling for the most vigilant course of policy on the part of the Government of the United States, the Committee beg leave to call the attention of the House to the measures now being adopted by Great Britain to keep afloat and actively employed on our Northern coast and in the West Indies a large number of steamers of the largest class; many of them with their guns on board, and the others at all times ready to receive them.

Some time since a contract was made with that Government by Mr. Cunard and his associates to carry the Royal mail from Liverpool to Halifax for the sum of sixty thousand pounds sterling, or \$291,600 per annum. In compliance with this contract, four steamers have been contracted and placed on the line, of twelve hundred tons burthen and 450 horse power each. These vessels leave Liverpool and Halifax every fortnight, and perform the trip across the Atlantic each way with great certainty in twelve days. These steamers are commanded by officers of the Royal Navy, and are to be at all times subject to the orders of the British Government. So great have been not only the facilities afforded to commerce and intercourse, but saving to the revenue in the cost of carrying the mail, that it is now proposed to double the number of steamers, that they may leave their respective ports every week instead of every fortnight. The London Journal of Commerce says:—“Under the old packet system, between Falmouth and Halifax, by the gun brigs, the expense to Government was about forty thousand pounds sterling annually, more than the receipts of postage. By the line of Cunard's steamships, a balance of twenty thousand pounds appears already to the credit side of the Atlantic mails.” This line has been extended to Boston.

On the 20th March, 1840, a contract was entered into between the Commissioners of the Admiralty and “the Royal Mail Steam Packet Company,” for conveying “all Her Majesty's mails,” from such port in the British channel as the Commissioners shall prescribe, to the West India islands, the coast of South America, Mexico and the United States, touching and delivering the mails at the ports specified on the map annexed to this report, on which are traced the various lines of communication to be established in pursuance of the contract. The company is bound to “provide, maintain, keep seaworthy, and in complete repair and readiness,” for the purpose of conveying the mails, “a sufficient number—not less than fourteen—of good, substantial, and efficient steam vessels, of such construction and strength as to be fit and able to carry guns of the largest calibre now used on

board of Her Majesty's steam vessels of war." To adopt from time to time, and at all times, such changes or improvements in construction, machinery, armament, and rigging, as the Commissioners may require. To carry a certain number of Government officers and men, at a stipulated price, and all times to hold their vessels subject to the orders of such officers as may be placed on board to assume command. This company is to receive two hundred and forty thousand pounds sterling per annum, which may, in certain events, be increased to three hundred and ten thousand, or to \$1,238,800.

These steamers are all in rapid progress of construction. They are about 1,500 tons burden, and to receive engines of 500 horse power each. Those that have been launched are estimated to be in all respects equal to sixty gun frigates. "Thus," it is said, "the country will be doubly served; and while it pays to the Mail Company, 210,000 pounds per annum for the transport of the mails, it will defray by the same payment, the annual charges of the largest and most powerful steam fleet in the world, fully armed with the heaviest ordnance, to act as war frigates when required by the Government for that purpose." To which may, at any time, be added the steamers employed in Cunard's line, and those running from London and Bristol to New York. It is also said to be in contemplation to establish another line from some port in England to St. John's, New Brunswick, under a contract similar to that made with the Royal Mail Steam Packet Company.

All these lines will soon be in full operation and employ at least twenty-five, and perhaps thirty steamers of the largest class and most approved construction; those on the Southern line, and probably those on the Northern lines also, having their guns on board. These steamers are to be commanded by officers of the Royal Navy, and to carry such number of officers and men as the Government, under certain regulations, may require, who will thus derive all the necessary instruction to enable them to command and manage vessels of this description. Of the fourteen designed to carry the West India mails, at least *ten* will be constantly employed in conveying them on the various lines as traced on the map hereto annexed; and it will be seen by reference to it that this formidable fleet will be at all times within three or four days' run of our Southern coast. In the event of a declaration of war by Great Britain against the United States, as she will, of course, possess the information necessary to enable her to concentrate her forces, all the steamers in the West India mail service can be collected at any point on the Southern coast by the time the declaration would be communicated to the President. Those employed on the Northern lines to New York and Boston, may commence hostilities before the least preparation can be made to meet them. Depots of coal are to be established at Halifax, and at several ports in the West Indies, from whence these fleets can be supplied and the prediction made some years since by an intelligent and experienced British officer, that their sailing ships of war would become coal carriers to their steamers, will be fulfilled.

There are, it is said, at this time, ten thousand black troops in the British West Indies, and that orders have been recently issued to increase the number to twenty-five thousand. These troops are disciplined and commanded by white officers, and, no doubt, designed to form a most important portion of the force to be employed in any future contest that may arise between Great Britain and the United States; and, by reference to the map of the West India mail lines, it will be seen that, in our present defenceless condition, a force composed of armed steamers and troops of that description would not only give great annoyance to our coast, but most effectually and at once put a stop to all communication around Cape Florida, or through the passes of the West Indies, to or from the Gulf of Mexico, and, consequently, the commerce of the great valley of the Mississippi must fall into the hands of the enemy, or its vast productions, cut off from market, be rendered valueless.

France is pursuing a course of policy in every respect similar to that of Great Britain. The last official register of her navy shows that she then had thirty-seven armed steamers, carrying heavy guns, equal in all respects, if not

superior, to those of any other nation. The sudden appearance of one of them some two years ago, in the harbor of Baltimore, must be recollected by all. A law has recently been enacted authorizing the Government to establish a line of armed steamers from Havre to New York, on the plan of the British West India mail line; and surprising as it may seem, a number of gentlemen of Boston have actually sent in proposals to take the contract, if *that* city instead of New York shall be inserted in it. Thus it will be perceived that our own merchants, driven by the laws of trade and intercourse, are about throwing the whole weight of their skill, enterprise, and capital into the hands of one of our great maritime rivals, for want of proper action and encouragement on the part of their own Government, and that the humiliating spectacle is likely to be presented of American merchants, who have excelled all others in commercial pursuits, being employed to support a naval force that may be directed against the cities in which they reside.

Under the old system of maritime war, our squadrons could be employed in the protection of our commerce and our flag abroad, without danger of aggression on our own coast, because the fleets of an enemy could no sooner approach to assail than our own return to defend us. But the introduction of steam power has effected such astonishing changes, that armaments on the most extensive scale are no longer to be considered as alone suited to the purposes of war, but the most formidable vessels the world has ever seen are to be employed in the transportation of the mail, passengers and freight, to pass along the whole line of our coast, and into our ports, as familiarly as common trading ships. If these vessels can be rendered profitable in time of peace, the security they will afford to persons and property, from the attacks of privateers and small armed vessels, will render them indispensable in times of war.

This system is yet in its infancy; and it is not in the power of the Committee to say, with any degree of accuracy, how far it may be rendered useful to our commerce, or profitably connected with our navy; to what extent it may be made to support itself, or the policy of other Governments, and a proper regard for our own safety, may render its adoption wise or necessary. These are questions of the utmost importance to all portions of this widely extended country, and ought to be promptly and properly inquired into, and satisfactorily answered.

A gentleman of great respectability and much experience in commercial affairs, and particularly in steam navigation, has given it as his opinion that "contracts could be made immediately for lines of four steamers from Boston to Havre, of four from New York to Liverpool, of three from Norfolk, via Charleston and Savannah, to Havana, and of three from New Orleans to Havana, by the guaranty of the Government of less than one million of dollars per annum, with a moral certainty of receiving back more than half of it, from postage on letters and papers, *immediately*, and the whole in a few years." This arrangement would keep equipped and officered for immediate service at least fourteen steam frigates, without the annual charge for repairs, manning, victualling, &c. &c. This system would bring to the aid of the Government all the energy, skill, and economy of individuals who will, in enterprises of this nature, always surpass it.

From what has been stated, it must, in the opinion of the Committee, be perceived that a powerful squadron has become as necessary for our protection at home as the employment of our ships of war has hitherto been, or may hereafter be, for the protection of our flag and commerce abroad. This squadron ought at once to be established, and from time to time increased, as the means placed at command of the Department may permit, and the various objects connected with it, as pointed out in the report of the Secretary, may best be promoted and attained.

For this purpose, the Committee report herewith a bill appropriating the amount asked for by the Secretary, and recommend the adoption of the following resolution:

Resolved, That the Secretary of the Navy is hereby directed to inquire into the expediency of aiding individuals or companies in the establishment of lines of armed steamers between some of our principal and Northern and Southern



ports, and to foreign ports; to advertise for proposals for the establishment of such lines as he may deem most important and practicable, and to report to this House at the next session of Congress.

Official.

DEPARTMENT OF STATE, }  
July 12, 1841.

Information has been officially received from the Government of Venezuela of the following changes in the tariff of duties on exports and imports of that Republic, which changes are to take effect from and after the 1st day of July.

1. All duties on exports from the ports of the Republic cease.

2. The following articles will hereafter be admitted into those ports free from import duty :

Bricks, bran, moulds for sugar mills, living animals of all kinds, ploughs, pease, rice, oats, scarfs for the use of churches, drills, casks, and barrels, pumps of wood or iron for irrigation, coal, carts or wagons, wheelbarrows, surplices and other garments for priests, collection of books of music or drawings and paper prepared for music or drawings, columns of all kinds for buildings, iron cooking stoves, jackets, staves, juniper berries, baggage of passengers, statues of all sorts, copper or iron sugar or still boilers, Dutch ovens, beans, engravings, mathematical or other scientific instruments, boats of iron or wood, set up or in pieces, lentils, parts of sugar mills, printed books and maps, files, Indian corn, apples, cotton gins, machines for dredging, mining, spinning, weaving, shelling corn, steam engines, gold and silver, pans of copper, brass, or zinc, potatoes, printing paper, carriage and cart wheels, seeds, brushes.

3. The duties on the following articles have been diminished, and will in future be thus :

Boots for men, the pair .....	\$1 00
Do. for boys, do. ....	75
Pitch, the quintal.....	1 00
Beer in bottles, the dozen.....	80
Do. in other vessels, arroba .....	50
Brooms of all sorts, the dozen.....	50
Pepper, the quintal .....	3 00
Slates, each .....	6
Tallow in lump, the quintal.....	2 00
Do. manufactured, do. ....	4 00
Cider in bottles, the dozen.....	80
Do. in other vessels, arroba.....	50
White pine boards, the 1,000 feet .....	4 00
Pitch pine boards, do. ....	6 00
Shoes for men, the pair .....	30
Do. for women, do. ....	20
Do. for children, do. ....	6

PENNSYLVANIA HALL.

To the Judges of the Court of General Sessions in the City and County of Philadelphia.

In the matter of the Petition of the Pennsylvania Hall Association.

The jury about to report, cannot forbear to congratulate the Court, and the public, on the prospect of a final settlement of the much vexed question of the Pennsylvania Hall. For various reasons, there has been a very general indisposition throughout the community to take any part in the measures necessary to produce such a result, as has been evidenced by the number of jurors that the Court has been required to appoint. But one of the present jurymen was originally appointed to that station. He, and those with whom he has acted, were induced to do so from a strong sense of duty, and they have given to the consideration of the subject submitted to them, all the time and attention that appeared to be demanded by the importance of its character, with a view to be enabled, fairly, to ascertain and report as by the law required.

This jury, appointed by the Court, in the above mentioned case, were sworn, or affirmed, on the 1st of February,

1841, "to ascertain and report the amount of the loss sustained in consequence of a mob or riot," which resulted in the destruction of the Pennsylvania Hall; and also, whether the owners of the Hall "had any immediate or active participation in said mob or riot." The jury being organized, immediately entered upon the discharge of their duty. From that time they met once or twice in every week, for the purpose of examining written or printed evidence, and witnesses, under oath or affirmation, and hearing the arguments of counsel, which were not concluded until the 21st of June. The jury, the five professional gentlemen engaged and the persons most immediately interested, were regular in their attendance, and great care was taken in sifting and recording the evidence. The jury entered upon the discharge of their duty with a deep conviction of its importance, which conviction has been their constant attendant in every stage of their proceedings.

The phraseology of the act of Assembly, under which this jury has been qualified has been found peculiar and somewhat embarrassing. It appears to them that they are not authorized to assess damages, but simply to report the amount of loss. Nothing seems left to their discretion. They are not allowed to modify or compromise, or even to express an opinion of damages, if any, which should be paid by the county to the owners of the property destroyed. It is their opinion that their duty is, by the law under which they have been appointed, narrowed down to ascertaining and reporting to the Court, the amount of the loss sustained, and whether the owners had any immediate or active participation in the mob, or riot, which caused it.

After the mass of evidence, oral, written and printed, which has been heard, and the length of time consumed in sifting and examining it by able and eloquent counsel, the Court may expect and desire that some of the leading facts connected with the destruction of the Pennsylvania Hall should be submitted. In this belief, the jury make the following statements :

The Pennsylvania Hall was erected by the subscriptions of Societies and individuals. Those who thus placed their funds in a common stock for a common purpose, called themselves "the Pennsylvania Hall Association." They adopted articles for their government, and elected Managers to carry out their views, prepare certificates of stock, superintend the erection of a Hall, rent it, and receive the rents. The Managers were restricted by the Stockholders from renting the saloon, "for any object subversive of good morals, or in such manner as should not afford reasonable and frequent opportunities for the discussion of the subject of Slavery," especial care being taken "in a form to be devised by counsel learned in the law," that the Stockholders should "not personally, or in this property, be liable for any of the debts, contracts, or engagements, entered into touching or concerning the business or operations of the Association." Who paid in money, or what amount of money was paid, or how it was expended, has not been satisfactorily made known to the Jury.

The Pennsylvania Hall was opened on the 14th of May, 1838. A volume purporting to contain an account of "all that was said and done" in it, from that time to the night of the 17th of May, when it was destroyed by fire, has been published by authority of the Managers. That volume has been given in evidence to the jury by the Counsel for the County, and a copy of it furnished to each of them. It is proved, by that and other evidence, that from the first to the last meeting in Pennsylvania Hall, the attendants were numerous both inside and outside thereof. A large proportion of the people assembled, particularly of those around the Hall, were colored people, and they were indiscriminately, male and female, intermixed with the whites.

During the period the Hall was opened, there was a more public and general intermixture of the white and colored population; more parade of familiarity between persons of different sexes and colors, and the better dressed portion of both white and colored people, than had ever before, or has ever since, been exhibited in the city of Philadelphia.

The effect upon the public mind and the public feeling was more than commensurate with these displays, because,

co-operating with them, were various representations of the proceedings, and the language held in the Hall. The consequence was, that so early as the third day, to use the language of the Managers themselves, "frequent volleys of stones were thrown against the windows of the Hall," and "there were frequent outbreaks of a disorderly spirit, such as hissing, shouting," &c. &c. The speakers, being frequently "interrupted by the mob," and by the "outbreaks of a mobocratic spirit," took occasion to declare that they feared not a mob.

"Although," in the language of the Managers, "on the day of its destruction, the 17th of May, 1838, the building was surrounded all day by the mob, who crowded about the doors, and at times, even attempted to enter the Saloon," yet, the Managers, who had control of the Hall, and represented the owners, declined or refused to give up their meetings, and did not surrender the keys, or put the property under the control, or in the keeping of the civil authorities, until late in the evening just before dark on that day, the day on which the Hall was burned. It is clear from the evidence that the mob, if mob it may be called, which at that time was assembled, in the vicinity of the Hall, were an orderly, well dressed, well behaved assemblage of men, of whom not more than fifty seem, at any time, to have taken an active part in the work of destruction. In the early stages of the riot, it would appear that not ten persons, and they chiefly young men, made war upon the buildings.

No person has ever been brought to trial for the part he took in the destruction of the Hall. Notwithstanding the repeated appeals of the Managers, none of our public or private corporations, no public meeting of our fellow-citizens, have expressed regret at this extraordinary breach of the peace; no sympathy has been manifested for the sufferers, "nor have any funds been raised to make good any portion of the loss sustained by the owners. They have been left uncompensated, while the owners of other property then destroyed, have, as the jury understand, received the amount of their losses, in accordance with the verdict of juries, who without hesitancy ascertained and reported the amount thereof, upon which payment was awarded to those who were deemed sufferers by the indiscretion of others, while it has been difficult to obtain a jury willing to hear and decide upon the claims of those who showed themselves disposed to insist upon the exercise of all their rights, indifferent, apparently, to the injury that might result therefrom to their neighbors.

In further illustration of the feeling that was produced, it is not unworthy of remark, that at the time the fire was first communicated, while it was making progress and consuming the Hall, there were many hose and fire companies, with their apparatus, on the street, in front thereof, and such were their zeal and activity, that, notwithstanding the intensity of the heat, hardly a roof or a window shutter was burned, from the abundance of water which was poured upon them, yet not a drop was permitted to fall where the flames were devouring the Hall. These extraordinary circumstances evince an extraordinary state of public feelings, yet they do not appear to the jury to be of such nature as, in any way, to affect the facts, which it is their duty to ascertain and report, to wit, the amount of loss sustained, and whether the owners had any immediate or active participation in the mob or riot.

It has been urged that the owners of the Hall provoked popular indignation, and this caused its destruction. Many unfounded reports, at that time, were actively circulated and believed. The jury do not feel authorized to report how much of what was circulated was true, or how much of it was false. If all of evil which was circulated was true, to the letter, would it, under our Constitution and Laws, warrant a mob in destroying the property, or taking the lives of the silly, or the guilty, people who had provoked their wrath? Would it warrant a mob in regarding our State Constitution, and that of the United States, as mere waste paper—with dispensing with a Grand Jury and Petit Jury, and with all the officers of the Law—in giving judgment themselves, and carrying into effect their own judgments? The jury have no hesitation in saying that it would not.

In their attempts "to ascertain the amount of the loss," the jury have to regret the want of accurate information on all points, save only the price of the lot. They have had no details on which implicit reliance could be placed; no contracts which had been entered into by the owners, for work to be done, or materials to be furnished; no receipts for moneys paid, nor authentic accounts of moneys received. The estimate of the amount of loss laid before the jury, on the part of the owners of the Pennsylvania Hall, amounts to \$101,089, while the counsel, on behalf of the county, do not make it more than \$31,469 28-100. After examining these estimates, and taking into consideration the whole of the evidence, the jury feel it their duty to report "the amount of the loss" at \$33,000.

The other portion of the inquiry, namely, whether the owners had any immediate or active participation in the riot, has been examined into with the most scrupulous and conscientious minuteness, and the jury have come to the conclusion, that Edward M. Davis, Daniel Neal, Jr. Charles Evans, James A. Wright, Isaac Parrish, William Harned, Caleb Clothier, John Longstreth, and William Justice, in trust for the stockholders of the Pennsylvania Hall Association, owners of the Pennsylvania Hall, named in the petition under which this jury were appointed by your honors, were, with others, at the time of the destruction of the said building and furniture, the owners thereof, and that the said owners had not any immediate or active participation in said mob or riot, in consequence of which it was destroyed.

All which is respectfully submitted.

John Binns, Samuel Badger,  
Henry C. Carey, W. Marshall,  
Geo. Ritter.

Philadelphia, July 12th, 1841.

To the Hon. the Judges of the Court of General Sessions for the City and County of Philadelphia:—

The undersigned, one of the Jury appointed to ascertain and report the amount of loss sustained by the owners of Pennsylvania Hall, and also whether the said owners had any immediate or active participation in the mob or riot in consequence of which the said building was destroyed; dissenting from the report agreed upon by the majority of said Jury, deems it his duty to state to the Court, that in consequence of the uncertain and unsatisfactory evidence in this case, he could not ascertain with any degree of accuracy, either the cost of the Hall, or the loss sustained by the owners in consequence of its destruction.

The subscriber also reports, that in his opinion the evidence clearly established the facts—that the owners of Pennsylvania Hall were the cause and originators of the riots, and within the true intent and meaning of the act of assembly, the said owners were active participators in the said riots, in consequence of which the said building was destroyed by a mob.

The undersigned has, after the most anxious attention to and scrutiny of the mass of testimony introduced during the course of the investigation, thus conscientiously performed the duties required by law according to his knowledge and belief; but he does not think it incumbent upon him to give a detailed statement of the evidence and facts, or the reasons upon which he founds his conclusions, especially as the act of authority of which the Jury were appointed, requires an examination by the Court of the law and the facts.

Respectfully submitted.

A. E. DOUGHERTY.

Philadelphia, July 10, 1841.

#### Silk Weaving Manufactory.

We learn from the Nashville Agriculturist, that a silk weaving manufactory has been established in Nashville, by Dr. White and Mr. Fox. When the editor of that paper visited the establishment, they were weaving velvet of a superior quality.



Finances of the State of Connecticut.

OFFICE OF THE SECRETARY OF STATE, }  
June 24, 1841. }

The following extracts from the Report of the Comptroller of Public Accounts, exhibited to the General Assembly at their late session, comprises such parts of said report, as are required by law to be published in the several newspapers in this State by the Secretary of State.

ROYAL R. HINMAN, Secretary of State.

The State of Connecticut in General Account of receipts and expenditures of funds appropriated for the current expenses of government, DR.  
For amount of payments from the Treasury from the 31st of March, 1840, to the 1st day of April, 1841.  
For current expenses of Government under the following heads, viz:—

Debenture and contingent ex. Gen. Assembly .	\$17,286 86
Salaries of officers of government .....	9,034 00
Contingent expenses of government .....	7,986 48
Judicial expenses of do .....	32,479 20
Expenses of supporting State paupers .....	1,700 00
Salary of directors of State prison .....	300 00
Advances to Quarter-Master General .....	835 00
Expenses of repairing field artillery .....	35 00
Public buildings and institutions .....	13,529 20
	<hr/>
	\$83,185 74

1841—March 31, for payments made by the Treasurer from March 31, 1840, to April 1, 1841, in addition to payments made on the Comptroller's orders.	
1840—Dec. 22, as per Auditor's Report, viz: For cash refunded Hartford Bank for over payment on non-residents' tax .....	7 20
1841—March 31, abatement, State tax 1839 .....	5,586 30
Collecting and travelling fees on do. .	1,685 07
March 31, for balance civil list funds to new account .....	11,517 94
	<hr/>
	\$101,982 25

1840—April 1, Cr. by balance in the Treasury at this date, as per Comp. Report 1840 .....	18,548 76
By payments into the Treasury from March 31, 1840 to April 1, 1841, viz—From avails of Courts .....	1,189 39
By cash from forfeited bonds, &c. ....	1,787 37
1841. From State Prison.	
March 31, of A. Pillsbury, profit on labor .....	5,000 00
1841—From city court licenses, &c. ....	207 30
	<hr/>
	\$26,732 82

1840—From dividends on bank stock .....	27,943 65
1841. From Taxes.	
February 20—By gross amount of tax of one cent on a dollar on \$4,363,059 95, list of 1839 .....	\$43,630 62
March 31—amount collected on list of 1838 .....	927 65
3d. of 1 per cent. on bank and insurance stock non-residents .....	2,747 51
	<hr/>
	\$101,982 25

1841—March 31, balance civil list fund from old account .....	11,517 94
	<hr/>
	Public Debt.

The public debt of the State remaining unpaid, April 1, 1841, is as follows, viz:—

	Liquidated.	Unliquidated.
State notes .....	\$32 89	
Interest certificates .....	27 38	
State bills emitted in 1780 .....	45 87	
Interest on said notes to 1805 .....	26 27	
State bills emitted before 1780 .....		1,235 70
Unregistered debt (Imlay's cert.) ..	414 62	
Interest on do to 1805 .....	359 56	
	<hr/>	<hr/>
	\$906 59	1,235 70

Balance due sundry persons for interest on assumed debt stock transferred .....	86 58
Do for interest and principal do. .	161 89

Permanent Funds—Dr.

The permanent funds of the State on the 1st of April, 1841, consists of bank stock transferable, and bank stock not transferable, or subscriptions to the capital of sundry banks which may be withdrawn on giving six months notice.

Bank Stock not transferable.

Hartford Bank 1484 shares at \$100 each	148,400
Phoenix do 890 do 100 do	89,000
N. Haven do 274 do 200 do	54,800
Middlet'n do 593 do 100 do	59,300
F. & M. do 7 do 100 do	700—352,200

Bank stock purchased and transferable.

Hartford Bank 144 shares at \$100 each	14,400
Phoenix do 294 do 100 do	29,400
N. Haven do 19 do 200 do	3,800
	<hr/>
	\$399,800

The late Tornado.

A correspondent of the Salem Gazette, writing from Danvers, who was an attentive observer of the tempest on Wednesday afternoon, the 30th ult. gives the following facts, which will prove interesting to all persons, who feel an interest in meteorology:

“On the 29th and 30th of June the thermometer after sunrise had ranged between 90 and 96 degrees Fahrenheit. Between the hours of 2 and 3, of Wednesday, there were indications of an approaching shower. The clouds moved rapidly, with a wild and threatening aspect; their position and color constantly changing. Just before the wind and rain commenced, they appeared to rush together. The main body of the clouds lay to the north. Immediately after the first gust of wind, the rain fell in torrents. But little damage was here done by the winds; and the water that fell was most acceptable to the thirsty earth. Two miles north of us the wind was much more severe—many chimneys were blown over—several barns prostrated—and numerous trees uprooted. Passing two miles farther north, into the upper parish in Beverly, and the effects of the wind were tremendous. Many barns were levelled, and much other injury done. In Wenham, there was a profuse abundance of hail, which was driven with such violence by the wind, as to destroy everything of a vegetable character in its way.—The fields of corn were entirely prostrated and destroyed. The fruit was beaten from the trees, or otherwise so much injured, as to afford little promise. A large half of the fruit and ornamental trees were blown down, or otherwise seriously injured. It may be safe to say, that throughout half of the town of Wenham, the injury done upon the farms was equivalent to the loss of the entire crop for the season. The vein of hail was about one mile in width. It was so abundant, that twenty-four hours after, it was to be found by the side of the way in large quantities. The stones appeared to be from a half inch to one inch in diameter, somewhat flattened. The barns and trees thrown down appeared

to be prostrated all in the same direction, extending from the N. W. to the S. E.—and this corresponds with the general movement of the cloud. We have seen those who witnessed its effects at New Boston, N. H. It appeared there about two o'clock, and produced similar effects to those described at Salem. It passed from there across the Merrimack to Londonderry and New Salem, across Methuen, again crossing the Merrimack, over the northerly part of Andover, the southerly part of Topsfield to Wenham, and when it arrived at Gloucester it terminated in a profuse and gentle shower of rain. All this occurred in about one hour, making its progress about one mile a minute—I looked with much curiosity, to see if, among the ruins, there were any indications in confirmation of Professor Espy's theory of storms. If I rightly understood him, when an event of this kind occurs, it would be found, that the wind would blow from each side towards the centre line of the storm. The centre line of this storm in this county was from the South Meeting-House in Boxford to the Meeting-House in Wenham. Six miles south of this line, the wind blew in the same direction as at Wenham. How it was in other places, my observation does not enable me say;—but if the same as here, these facts do not correspond with the theory. So far as I have learned, wherever the hail fell, there appeared to be a similar rushing together of clouds, immediately preceding the falling of the hail. In Wenham I noticed many trees that were twisted round like a *twisted withe*, and some, locust trees in particular, that the tops appeared twisted off. This would indicate a different operation of the wind, from that two miles south, where the trees were uprooted and thrown down in the direction of the wind. I have been thus particular in noticing the effects of this tornado, because phenomena of this kind but seldom come within our observation. I have not known anything hereabouts to compare with it, since the 1st of August, 1815, and I believe the destruction then was much more limited than now. The centre line of the hail then was across the south village in Danvers, over Salem to Marblehead. The appearance of the clouds at Cambridge was very similar to that now witnessed at Danvers.

P.

### New Jersey Railroad.

The New Jersey Railroad Co., has declared a dividend of 3 per cent., payable on the 26th instant. As a proof of the revival of business intercourse in the community, and as a testimony, though not conclusive, in favor of the policy of reduced prices, in an active commercial society, we annex the following statistics, furnished us from the books of the company. The statement, it will be perceived, embraces the first six months of the years 1839, '40 and '41, and affords a comparative view of the travelling of the railroad, during those periods. We cannot forbear noticing with satisfaction, the growing intercourse between our own towns and villages, which, previous to the facilities now enjoyed, was almost as restricted and infrequent as with foreigners. It is also satisfactory to observe that the State receives from \$8,000 to \$10,000 in transit duties:

Statement of passengers carried on the New Jersey Railroad for the first six months of the years 1839, '40 and '41.

1839—January 1st to July 1st.	
Between New York and Newark.....	72,675
“ Elizabethtown ..	4,581
“ Rahway .....	7,320½
“ New Brunswick.	14,769
Between Newark and Elizabethtown ..	2,582
“ Rahway.....	2,149½
“ New Brunswick.	1,947½
Way passengers to and from places between Elizabethtown and New Brunswick.....	3,192½
Total passengers .....	109,217

1840—January 1st to July 1st.	
Between New York and Newark.....	77,457
“ Elizabethtown ..	6,733
“ Rahway.....	8,973
“ New Brunswick	14,091½
Between Newark and Elizabethtown ..	4,475½
“ Rahway.....	1,682
“ New Brunswick.	1,870
Way passengers to and from places between Elizabethtown and New Brunswick.....	2,723
Total passengers .....	118,005

1841—January 1st to July 1st.	
Between New York and Newark.....	123,966
“ Elizabethtown .	11,674½
“ Rahway .....	9,750½
“ New Brunswick	15,144½
Between Newark and Elizabethtown .	6,093½
“ Rahway .....	2,156
“ New Brunswick	2,452
Way passengers to and from places between Elizabethtown and New Brunswick.....	3,846
Total passengers.....	175,083

The number of passengers carried in the Philadelphia lines, for which a transit duty of 8 cents each is paid to the State of New Jersey:—

1839—January 1st to July 1st, .....	35,320½
1840—January 1st to July 1st, .....	36,477½
1841—January 1st to July 1st, .....	44,299½

[*Newark Daily Adv.*]

### Cotton Received at Boston.

The quantity of cotton received at the port of Boston from October, 1839, to October, 1840, was 117,594 bales. Deduct from October, 1839, to January,

1840.....	11,487 bales.
	106,107 “
Add Oct. 1840 to Jan. 1841.....	30,350 “
Received in 1840.....	136,557 “
“ 1839.....	94,350 “
Excess in favor 1840.....	42,007 “
Receipts in 1835.....	80,709 “
1839 .....	82,885 “
1837 .....	82,664 “
1838 .....	96,636 “
1839 .....	94,350 “
1840 .....	136,357 “

Since January 1st, 1841, there was received, to this, the 26th of May, less than five months, 93,057 bales, and the quantity received this year will probably be 150,000 bales.

[*Boston Atlas.*]

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

VOL. V.

PHILADELPHIA, WEDNESDAY, JULY 28, 1841.

No. 4.

## Massachusetts Bar—Resignation of Judge Davis.

In the District Court of the United States, on Saturday last, Franklin Dexter, Esq., the District Attorney of the United States, rose in his place and addressed the Court, having read the following preamble and resolutions.

At a meeting of the Bar of Suffolk, held at the Law Library on the 9th day of July, 1841—

It having been made known to the Bar, that the Hon. JOHN DAVIS is about to resign the office of Judge of the District Court of the United States, for the District of Massachusetts, and that after Saturday next he will not return to the bench, where he has presided for more than forty years;—it was thereupon unanimously

Resolved, That the Attorney of the United States be requested, in the name of this Bar, to make known to Judge Davis the high sense we all entertain of the importance of his judicial labors, which for so many years have exhibited varied and accurate learning, sound and discriminating judgment, unwearied patience, gentleness of manners, and perfect purity; and that Mr. Attorney be requested to express our heartfelt wishes, that he may find in retirement, that dignified repose, which forms the appropriate close of a long and useful life, and to bid him an affectionate farewell.

Voted, That the foregoing preamble and resolutions be entered upon the Records of the Fraternity of the Suffolk Bar, and a copy thereof be sent to Judge Davis.

The above Preamble and Resolutions having been unanimously passed, the Secretary of the Fraternity was directed to furnish a copy thereof to the District Attorney.

GEO. TYLER BIGELOW,  
Sec'y of the Fraternity of Suffolk Bar.

May it please your Honor:

By these resolutions I am requested in the name of the Suffolk Bar, to express to you their high sense of the value of your judicial labors, and their acknowledgment of the personal kindness, as well as the distinguished ability with which they have been performed. This is, sir, to me a most grateful duty—and yet I feel the difficulty of giving any adequate expression of the deep feelings of my brethren, without danger of offending the modesty which, through a long life of usefulness, has adorned so many talents and so many virtues. I will not, therefore, depart from the simple but comprehensive language of the resolution in describing to you our general estimation of your judicial character and conduct. But let me assure you, sir, that these are not words of mere form, required by the occasion; but the sincere and spontaneous expression of the feelings and opinions of every member of the bar, and of this commercial community. It can rarely happen that a judge who is called upon to decide so many delicate and important questions of property and of personal right, should so entirely have escaped all imputation of prejudice or passion, and should have found so general an acquiescence in his results. It is not to be forgotten in the peaceful tenor of the present times that your official career has been formerly marked with extraordinary difficulties.—When you assumed its duties—more than forty years ago—before any of this fraternity had begun the active business of life—the stores of judicial learning in that peculiar branch

of the law which you have been called most frequently to administer, were by no means so near at hand as at present—then it was necessary *accedere fontes*, and from those fountains your own decisions have, with those of your distinguished cotemporaries, in Europe and America, drawn down the principles of the Admiralty law within the reach of comparatively easy exertion. A few years after that time the system of commercial restriction adopted by the General Government threw this portion of the country into a state of unparalleled distress and exasperation. An abundant and overflowing commerce was suddenly checked in all its issues and enterprises, and the revulsion threatened to break down the barriers of law by which it was restrained. It was in the District Court and under your administration that this struggle took place; and although juries refused to execute the obnoxious restrictions in cases required by the Constitution to be submitted to them, yet the supremacy of the law suffered no detriment in the hands of the Court. Few of us can remember this *civium ardor jubentium*, but all can imagine how painful a duty it was to be thus placed in opposition to the feelings and interests of this community. Perhaps I may be pardoned for recalling to the minds of the Bar, in your presence, the beautiful language in which your own regrets were expressed when you felt obliged to declare that disastrous as its consequences were to the country, the embargo was still the law of the land and as such to be obeyed:

“I lament the privations, the interruption of profitable pursuits and manly enterprise to which it has been thought necessary to subject the citizens of this great community. I respect the Merchant and his employment. The disconcerted Mariner demands our sympathy. The sound of the axe and of the hammer would be grateful music. *Ocean*, in itself a dreary waste, by the swelling sail and floating streamer, becomes an exhilarating object; and it is painful to perceive, by force of any contingencies, the *American* stars and stripes vanishing from the scene. Commerce, indeed, merits all the eulogy which we have heard so eloquently pronounced at the Bar. It is the welcome attendant of civilized man, in all his various stations. It is the nurse of arts; the genial friend of liberty, justice and order; the sure source of national wealth and greatness; the promoter of moral and intellectual improvement; of generous affections and enlarged philanthropy. Connecting seas, flowing rivers, and capacious havens, equally with the fertile bosom of the earth, suggest, to the reflecting mind, the purposes of a beneficent Deity, relative to the destination and employments of man. Let us not entertain the gloomy apprehension, that advantages so precious are altogether abandoned; that pursuits so interesting and beneficial are not to be resumed. Let us rather cherish a hope that commercial activity and intercourse, with all their wholesome energies, will be revived; and that our merchants and our mariners will, again, be permitted to pursue their wonted employments, consistently with the NATIONAL SAFETY, HONOR and INDEPENDENCE.”

From that time, sir, down to this most interesting period when you are about to surrender the high trust you have so long holden, it is enough for me to say, that the Bar have felt undiminished confidence in the ability and integrity of your administration of the law, and that our filial respect and affection for yourself has constantly increased with your increasing years; and while we acknowledge your right now to seek the repose of private life, we feel that your retirement

is, not less than it ever would have been, a loss to the profession and to the public.

I am further instructed, Sir, by the Fraternity to bid you an affectionate farewell, and to express to you their heartfelt wishes that you may find in retirement that dignified repose which forms the appropriate close of a long and useful life. May it be so, sir. May you live long and happily—as long as life shall continue to be a blessing to you; and so long will that life be a blessing to your friends and to society.

Judge Davis was sensibly affected with this address; when he commenced a reply the bar rose, and gathered round the bench, while he spoke as follows:

*Gentlemen of the Suffolk Bar:*

I receive gratefully and with deep sensibility your generous and kind expressions, communicated by a representative most justly entitled to that selection, and to whom I would tender my acknowledgments for his very acceptable performance of the duty, which it has been your pleasure to assign to him on this occasion.

There are considerations besides habitual taste and temperament, which would dispose me to meet the event of this day in silent soberness, with full persuasion, which I was assured might be indulged, that our official relation would be dissolved with mutual friendly regards; but I yield to an arrangement which is more consonant with your kind wishes, and in which there seems to be an obvious propriety and fitness. At all times, and especially in this place, we are bound to regard the fitness of things.

Somewhat more than half of my life has been spent in the office which I am now to relinquish. With the members of this bar, and with their predecessors, I have had frequent, gratifying and improving intercourse. Should I attempt to give expression to the recollections which on this occasion arise rapidly and somewhat confusedly to my view, I could do it but imperfectly. If a history of my time should ever be sketched, it must be with more deliberate preparation—Some reminiscences, however, seem due to the occasion, the indulgence is among the privileges of age—a privilege I hope which will not be abused.

The Suffolk Bar at the commencement of the present century was not numerous, though even then I believe, solicitous aspirants were heard to complain that the profession was crowded. The whole number was but thirty three; five Barristers; twenty Attorneys of the Supreme Judicial Court, and eight of the Common Pleas.

The Barristers were James Sullivan, Theophilus Parsons, William Tudor, Perez Morton, and Shearjashub Bourne.

*Attorneys of the Supreme Court.*

Thomas Edwards,	John Quincy Adams,
Jonathan Mason,	John Phillips,
Christopher Gore,	George Blake,
Rufus G. Amory,	Ebenezer Gay,
Joseph Hall,	Josiah Quincy,
Edward Gray,	Joseph Rowe,
John Davis,	William Sullivan,
Harrison G. Otis,	Charles Paine,
Joseph Blake, Jr.,	John Williams,
John Lowell, Jr.,	William Thurston.

*Attorneys of the Court of Common Pleas.*

Edward Jackson,	Charles Davis,
Foster Waterman,	Charles Cushing, Jr.,
David Everett,	J. W. Gurley,
John Heard,	H. M. Lisle.

Of these, there remain nine fellow surviving associates;—Hall, Otis, Adams, George Blake, Gay, Quincy, Rowe, Williams, and Cushing. Messrs. Hall, Otis, and Blake have retired from the Bar. Adams, Gay, Quincy and Cushing have changed their residence—and Mr. Williams is the only one of the number now having a place at the Suffolk Bar.

The officers connected with the United States Courts, in this district in my time, besides the present occupants, are H. G. Otis, George Blake, Andrew Dunlap, and John Mills, Attorneys; Nathan Goodale, William G. Shaw and John

W. Davis, Clerks; Samuel Bradford, Thompson J. Skinner, James Prince, Samuel Harris, and Jonas Sibley, Marshals.

Mr. Otis was but a short time in office, being removed by President Jefferson, in a few months after the appointment received from President Adams. Mr. Blake held the office many years, some of them years of great and peculiar pressure and perplexity, with eminent ability and assiduity. His successor, Mr. Dunlap, performed his official duties with similar energies, and with his characteristic ardor, tempered with gentlemanly address, and all due complacency. Many now present, remember his signal exertions, when he stood alone, in the arduous trial of the pirates, in 1834, the number of the men on trial for their lives, as was remarked by their junior counsel, being equal to the number of the jury, by whom their fate was to be decided.

Mr. Mills, who succeeded Mr. Dunlap, has recently resigned. He left us with the cordial esteem of all with whom he was connected—faithful, accurate and able in his official transactions. It was only regretted that he did not find it convenient to make this place of business in office, his place of abode. The discreet employment of a competent and very attentive assistant, in a great degree, was a sufficient substitute. It has always, I think, been important, and the urgency is continually augmenting, that the Attorney, Marshals, and Clerks of the United States Courts in this district, should reside in or near the place where the business to which their offices have relation is almost wholly transacted. Of Marshals Bradford, Prince and Sibley, I have spoken in deserved terms of commendation, when the present Marshal, Mr. Lincoln, took the requisite official oaths in this place. Of his immediate predecessor, Mr. Sibley, I feel bound to say in addition, that to his attention and exertions, we are very much indebted for the ample and very acceptable accommodations for the Court, and all connected with it, in this edifice, by arrangements with the City Government.—There have been times when there has been peculiar embarrassment in this particular. Frequently no place could be found, for holding the Courts of the United States, but in a hotel, and at one time, I recollect, Marshal Prince announced, that he had written, or should write to Washington, that he knew not where to find a place for the Court, but under the Great Tree on the Common.

Among the Clerks of this Court, the last named was, as you know, most near and dear to me. I am happy to say, also, that most of you were witnesses of his carefulness and courtesy, and well knew how faithfully and acceptably he discharged all the duties of his trust. When your obliging sentiments were read and I listened to the interesting accompaniments offered by a son of an esteemed friend and classmate, it brought to recollection a reply made at a Council fire, in a talk in our forest border. "Good words," said an aged chief, "Good words, and I will tell them to my children."

Your good words I cannot tell to my son, but I shall tell them to his children. Of his six sons, all now very young, some one or more may, at some future time, have the ambition to take a place in your corps. If so, I am sure they will find a welcome and be received with generous good will.

Mr. Bassett, my son's assistant in his illness, and his tried friend and class-mate, became his successor in the office.—You well know his merits, his accuracy and fidelity. Everything in his department is to my entire satisfaction.

The connexion of the Court with the present District Attorney and Marshal is quite recent. If I should have remained in office, I well know the satisfaction with which my intercourse with them would be attended. It will be experienced, I am confident, in abundant measure by my successor, and by all with whom they may have connexion, in the interesting offices committed to their charge.

The Suffolk Bar is greatly increased in the forty years of my judicial life. There are on its list more than six times the number of 1801. If we deduct from the list those who are engaged in other pursuits, though their names still stand on the honorable roll, the acting number will still far exceed the increase of population in the scene of action. There are other causes prevailing in this very busy and flourishing portion of the community, greatly affecting and varying the



statistics and condition of the Bar, in this city and its vicinity, on which I cannot here enlarge, but which every intelligent observer must have perceived. They are considerations which have brought here and well rewarded the transition of distinguished advocates from other counties and from sister States. The fair field has been occupied and honored by Dexter, Ward, Prescott, Jackson, Webster, Pickering, Choate, Jeremiah Mason, Fletcher, Sprague, Peabody, and others, who have been cordially received by those whom I may term the home members. Men of eminent attainments, now in judicial office—Story, Putnam, Shaw and Thacher—have appeared as advocates in this Court, and occasionally distinguished counsellors from other counties and from sister States. If in my deportment I have been deserving of the commendation which it has been your pleasure to bestow, much, very much is due to my cherished intercourse with such men, as well as from my habitual respect and regard for your profession.

It is a profession highly honorable, for it is highly useful. It has been embraced by the wisest and best of men, and in every country having any pretensions to freedom or intelligence, the able, upright, well instructed lawyer is of high consideration. The studies in which he is accomplished, his knowledge of men in all their relations, his habits of research, reflection, and discrimination; the frank and independent tone of his character, inspired by the very genius of his profession: his unshaken fidelity to his trust; his varied intellectual acquisitions; his power of clear, forcible and impressive communication—all inspire confidence, respect, and esteem. In the various perplexities of life he is the safe and confidential counsellor. He enters the Temple of Justice, a representative of others, with rights which all are bound to respect. Property, reputation, the peace and repose of families, the affairs of various associations, the dearest temporal interests, are occasionally committed to his charge—too often does the sad occasion occur, when some forlorn being in a state of awful uncertainty leans on him for support, and life hangs trembling on his exertions. The learned author of *Eunomus* suggests an opinion of one of his friends, a respected veteran who had retired from practice, in regard to the moral tendency of the profession, which if it were just, would impair its estimation and cloud its brightest honors. That friend is represented as declaring that “he would never breed up a son of his to the profession, if he could not leave him a competence independent of it, because he doubted much whether he could thrive in it, at all events without sacrificing more of his honor and conscience than a man of any delicacy would wish for.”—Very different was the opinion of my excellent predecessor, the Hon. Judge Lowell, an ornament of his profession, the delight of every friend and admirer of virtue, genius and intelligence. I remember to have heard him more than once express, in his emphatic manner, his persuasion that the sentiments and habits generated by legal studies and pursuits were a precious security against wick of character, and that they had a favorable tendency to invigorate and improve the moral sense as well as the intellectual faculties. In this sentiment he is sustained by Lord Coke. “For thy encouragement,” says that eminent jurist, “cast thine eye upon the sages of the law that have been before thee, and never shalt thou find any that have excelled in the knowledge of the law, but hath drawn from the breasts of that divine knowledge honesty, gravity and integrity.”

With such convictions and the eminent examples which it has been my good fortune to witness, it has been my endeavor to maintain a corresponding deportment. We have all, I trust, been habitually mindful of our respective relations. Truth, says Malebranche, loves gentleness and peace. It has, I hope, been evinced, in our transactions together, sometimes of exciting tendency, that irritation and ill-humor are no necessary incidents in legal controversies, but that the precious elements truly and essentially appertaining to tribunals of justice, forbearance, moderation, and mutual civility, are the most favorable for full discussion and just decision, and in entire consistency with that manly character and uniform assertion of right, which it is the honor and the duty of the bar and the bench respectively to maintain.

When I received my appointment, there was a distinct Circuit Court. The District Judge had not a seat in that Court. It was then my impression, abundantly confirmed since, that the alteration of the law in that particular is not an improvement. The employments of the District Judge, of various descriptions in Court, and of ministerial and miscellaneous character, are of such amount in this highly commercial district, and of such extent, that it seems neither reasonable nor advantageous to require his attendance and agency in another Court. This consideration will be more specially urgent if a bankrupt law should be enacted, and the jurisdiction of the Court should be enlarged in reference to crimes and offences, one or both of which augmentations of the duties of the District Judge there seems reason to expect.

By becoming connected with the Circuit Court, I had the satisfaction of an association and intimacy with the venerable Judge Cushing, and of affording, I believe, some acceptable aid in his decline of life—and have in my turn received relief and great enjoyment with his distinguished successor, Hon. Justice Story. In that connexion I have found everything that could be wished. In business, never asking or expecting from me, more than my engagements in my own special sphere would consistently admit. By his eminent ability and unwearied industry, in a great degree relieving a solicitude which I might otherwise have experienced from responsibilities in reference to the Circuit Court, and by his able decisions, as well as by his learned labors *inter sylvas academiæ*, affording salutary aid in various departments of my official duty. I have noticed with pleasure the improving influence of the Law School in the University. The professional publications from some of his young pupils at this bar are highly honorable to them and to their instructor.

I must forbear, gentlemen, to enlarge, though there remain topics, connected with my position, which it would not be impertinent to consider. A great portion of the business which we have been concerned in transacting, has been of admiralty jurisdiction, in which the trial rests wholly with the Judge, fact as well as law. This characteristic in regard to a large portion of the cases before him, is attended with peculiar solitudes, requiring the candid consideration which I have had the happiness to experience.—It would be a great relief to the Judge, and might be an improvement, though of this I am not certain, if *facts* in admiralty, and maritime cases, were made triable by jury, as they are rendered by Statute in regard to seizures on land. The solitudes of the bench, arising from the present law and practice in that particular, are, however, not of such character and degree as to call for the alteration suggested. In this respect, as well as in all other branches of practice, I have been relieved by the courtesies of the bar, which I have uniformly enjoyed, and for which you have my cordial thanks.

Dr. Taylor, in his *Elements of Civil Law*, has a remark not inapplicable to my present position. It is relative to the passes or bridges over which the voters in ancient Rome preceded to give in their ballots.

“It was in this pass that people of sixty years and upwards were objected to, and refused the right of suffrage; for as sexagenarians could not be members of the *Comitia*, as they could not be compelled to execute any public office after that age, so the younger sort thought it unreasonable they should be indulged their suffrage, and thrust them by as they came along—whence the phrase *de pontani senes*.”

Upon this rigid system, I should long ago have been *de pontanus*, but am willing to believe my generous auditors would consent to give me still further grace.

But the time of release has arrived, and meets with my acceptance.

I bid you an affectionate adieu, thankful for all your kindness, and for the gratifying and improving opportunities, which it has been my favored lot to enjoy, in the connexion now to be dissolved. It is painful to employ the solemn word *dissolved*. Our official connexion will cease, but reciprocal esteem and good-will will, I trust, remain in continued exercise. I shall rejoice in all, I may see or hear of

your prosperity and honor, and may the Father of Mercies, the giver of every gift, sustain, animate and guide you in your assiduous progress in the path of arduous duty.

The valedictory scene between his Honor Judge Davis and the Bar of the District Court, as described in the papers, has excited much interest in the perusal. It is a spectacle of great moral beauty; that of a judge after forty years service on the bench, withdrawing at a very advanced age, with an irreproachable character, and unimpaired faculties; and a fraternity of such persons as compose the Bar of our District Court, offering to him the homage of affectionate respect, and their united commendation of his official character and career. This occurrence has given rise to a desire with some who have been born since the Judge's accession, to know something of the history of the Court anterior to that event—and a regret is felt that he did not think himself at liberty to *travel out of the case*, so far as to give it to us in his neat and classical style: as it embraced a period of only a few years, and would have given a completeness to his memoir, leaving nothing more to be wished. It is hoped that an attempt in some measure to gratify this desire will not be regarded as presumptuous. For the "march of intellect" in our favored country is so rapid, that the memory and almost the names of those who figured thirty years since are lost in the splendor of the luminaries which are now in the ascendant, and are considered as belonging to the *dark ages*.

The immediate and only predecessor of Judge Davis in the District Court, was the elder John Lowell. He was a man whose profound learning, vigorous intellect, impassioned eloquence, united with a high toned sense of honor, and a heart of candor and benevolence which he carried in his hand, made him to be regarded as one of the giants of those days. I will say *en passant*, that Theophilus Parsons was another—and another, though their junior, and not yet fully arrived to their stature, was Samuel Dexter.

The first District Attorney was Christopher Gore, who was also an ornament of the Bar and of the age. He held the office under Washington, until he was appointed a Commissioner to give effect to certain articles of the British treaty. He was afterwards a Senator of the United States, and Governor of Massachusetts.

To him succeeded Harrison Gray Otis, appointed also by Washington. He soon resigned the office for a seat in Congress, into which he was elected immediately on the resignation of Fisher Ames, who was the first Delegate chosen under the Federal Constitution. He was succeeded by Judge Davis—and after serving in Congress during the four years of the Adams administration, he was, (as it is believed without solicitation,) re-appointed to his old place of District Attorney by President Adams, by whom also Mr. Davis was then promoted to the Bench. Mr. Otis very soon afterwards was "removed" by President Jefferson; but though he had not the good fortune to gain the favor of Mr. Jefferson, he did not lose that of his constituents—having been constantly returned to one branch or the other of the Legislature, and repeatedly presiding in each for a series of years, until he was chosen to the Senate of the United States—from which he retired at the end of five years, and before the expiration of his term.

The first Marshal of the district was Jonathan Jackson, formerly an eminent merchant, afterwards a patriot of the revolution—he was a person of liberal education and fine talents, and admitted by all to be an uncommon model of a true and accomplished gentleman.

Mr. Jackson's successor was Samuel Bradford. He was also a person of great worth, universally esteemed, and combining in a rare degree firmness in action with delicacy in manner, which peculiarly qualified him for the duties of his office in critical times.

These—speaking from recollection merely—are the only officers of the District Court, in the grades of Judge, Attorney and Marshal, who preceded Judge Davis. Of the whole number, Davis and Otis alone survive—one has been for a very long period on the bench—and the other for a great

part of it on the shelf—each, as it is said by their friends, content with his respective position. But both have much to acquire if they have not yet learned to estimate the value of posthumous fame, and to say without repining

"Fortuna atque Fama, valete!  
Sat me lusistis, nunc ludite alios."

In the list of officers of this Court, the name of Governor Brooks, who was at one time Marshal, was casually omitted—a name worthy to be inserted in every list of revolutionary patriots and statesmen.—*Boston Daily Patriot*.

#### Entombment of President Harrison.

It was the wish, and the request of the family and relatives of General Harrison, that his body should be entombed as privately, and with as little ostentation, as possible. In consequence of this, many thousands of our citizens, who else would have followed it to North Bend, contented themselves to remain away. The feelings of the nearer neighbors and acquaintances of the late President, however, could not be thus restrained; and on the arrival of the steamboat at the place where the remains were taken ashore, the committee found an assemblage of several thousand persons, who had collected from the farms for miles around, and from the nearest towns of Ohio, Kentucky and Indiana, anxiously awaiting the appearance of the boat. Although this circumstance was to be regretted, it affords a new evidence of the deep and abiding hold which General Harrison had upon the affections and respect of his immediate neighbors. For many miles around the Bend, he had, with nearly every man who was worthy of his regard, what may almost be called an *intimate* acquaintance; and in reference to this relation between himself and his neighbors, it may truly be said, that they who knew him best, loved him most.

The Raritan landed about a mile above the Harrison Dwelling. Here the remains of the General were taken ashore, and the relatives and committees formed in procession after them. As they wound slowly and solemnly towards the tomb, many of those who were assembled fell into the line. Others, more anxious to get a look at the coffin which incased the body of their late friend, took positions ahead, where it was known the funeral train would pass, and thus skirted the entire way. At the tomb a prayer was offered up by the Rev. Joshua L. Wilson, of the First Presbyterian Church of this city, and the burial services of the Episcopal Church read by the Rev. John T. Brooke, of Christ Church.

The tomb is a simple vault, with nothing merely for show, and none of the decorations of art. Its situation is very beautiful, with reference to either the river or the country in its rear. A few trees, of the original growth of the forest, stand around it. By another year, the grass will be creeping up its sides, and the wild flowers be bending towards it. These from the hand of nature, will be its first decorations. But the admiring hearts of a grateful people will not long let them remain alone. The hand of Art will soon be brought into requisition, to beautify and embellish; and a column, worthy of him who has

"A monument in every heart,  
An epitaph on every tongue,"

will rise above the sleeping dust, and point to Heaven. But whenever, or however, this may be done, we trust that it will harmonize with the decorations of nature, and be made in consonance with the republican simplicity of character, which belonged, at all times and through all changes of fortune, to the Soldier, Statesman, Patriot and Christian, who sleeps beneath. *Cincinnati Daily Gazette*.

#### Tobacco.

The Oceana lately brought down to St. Louis 30 hhds. of Tobacco, the product of the Platte country—a section of the State scarcely inhabited two years ago. Preparations are making for the extensive cultivation of Tobacco in that fine region of Missouri.



**The Late Tornado.**

A correspondent of the Observer furnishes the following additional particulars:—

The recent tornado of wind, rain and hail surpasses any tempest within my recollection of the like kind, and I have lived more than half a century. Where the wind was the most powerful there was no hail. In the region where wind and rain prevailed, most damage was done to the trees and buildings; on the contrary, where the hail fell, the glass on the West side of the buildings, commencing near the river in Topsfield, and passing in an easterly direction across Wenham Swamp, and striking in its greatest severity about a mile and a half West of Wenham meeting house, breaking glass on the West side of all the buildings through the lower part of Upper Beverly—at the same time cutting down every vegetable substance in the same range. Where the wind and rain preponderated, the destruction of trees and barns was truly melancholy; oaks and fruit trees that have stood for centuries were in a moment prostrated to the earth. To give a specimen of its effects in North Danvers: Mr. Charles Lawrence, had 50 trees uprooted, 20 of which were valuable apple trees, some having breasted the blast and the storm for more than a century. This is only a specimen of the devastation that passed through Middleton to Beverly.

I will now give a list of the barns and other buildings destroyed or greatly injured in the following towns. viz:

In Middleton, the barns of Dr. Andrew Nichols, the widow of Samuel Gould, Jona. Perry, and Jona. Perry, jr.

In Danvers, the barns of Samuel Clarke, Daniel Goodhue, Joel S. Wilkins, two, (one in Wenham,) Moses Perkins, Peter Putnam, Perley Tapley. (unfinished building.)

In Topsfield, the barns of Moses Pettingell, John Dwinell, Cyrus Averill, and Jacob Towne.

In Wenham two barns and a house of Thomas Kimball, two barns of David Woodbury, Charles Brown, Paul Kimball, Benjamin Symonds, Paul Porter, one barn each.

In Beverly, the barns of the late widow Brown, John Brown, Asa Brown, Israel Brown, Frederick Howes, Capt. Lord, Edward Trask, Dudley Dodge, widow Trow, Josiah Trask, Mr. Nesmith, Israel Trask, (house partially injured) Timothy Berry, Mr. Burnham, Nathaniel Potter, widow of Levi Dodge, and Mr. Ham.

On Danvers Plains, 16 chimneys were blown down to the roof and many out-houses upset. A large oak, on Judge Putnam's farm was struck with lightning, and a tree on the farm of the late Deacon James Putnam.

The hail at the side of the road, in one place in Wenham, at 10 o'clock, the next day after the storm, laid in a pile of many bushels unmelted hail-stones as big as a pigeon's egg. Some bushels of the hail-stones were congealed together nearly as big as a man's head.

North Danvers, July 2.

O.

The Farmer's Cabinet says that the late storm was very violent at Amherst, N. H.

"Wind, thunder, lightning and hail seemed to vie with each other in their terrific power and sublimity. In five minutes not a single pane of glass remained in the windows exposed to the storm. In our premises not less than 350 panes of glass were destroyed, and it was with difficulty that we could escape ourselves from its fury. The glass in our office, being broken very fine and mixed with the types, formed one body of *glass pi*. Every house and building has shared a similar fate.

The hail-stones were of very large size, some of them measuring from five to six inches in circumference—and driven by the wind, struck with tremendous force. In many cases, window blinds and even the roofs were smashed. But the most awful consequences, we fear, will result to the crops in the fields. Our gardens, which an hour before were in a highly prosperous condition, are all levelled with the ground, and destroyed. The fields of corn and English grain are cut down, and driven into the ground. The loss to our farmers must be very great. The vein of hail was not very large in extent—from four to five miles; but made clear work wherever it went."—*Salem Reg.*

**Public Sale of Ships at Phila.**

The three following Philadelphia built ships were sold at the Exchange yesterday morning, by Mr. C. J. Wolbert:

Ship Lehigh, built in 1833, coppered last fall, 585 10-95 tons, stows 7000 barrels of flour, 1100 tons of Canton goods, or 1685 bales of New Orleans cotton, sold for \$24,500, on a credit of 4 months.

Ship Osage, built in 1835, stows 5500 barrels of flour, 467 39-100 tons, sold for \$14,500 on a credit of 4 months.

Ship Commerce, built in 1832, measures 439 82-90 tons, stows 6000 barrels of flour, or 1500 bales of New Orleans cotton, was sold for a whaler, and brought \$13,300, four months credit.—*U. S. Gazette*, July 15.

**Dividends at Phila.**

The following seasonable dividends have just been declared, and will prove very acceptable to the stockholders:

Pennsylvania Company for Insurances on Lives and Granting Annuities.....	3 per cent.
Philadelphia Fire and Inland Navigation and Trust Company.....	3 "
Fire Insurance Company of the County of Philadelphia.....	3 "
Union Insurance Co., of Philadelphia.....	5 "
Bank of Pennsylvania.....	2½ "
Bank of North America.....	2½ "
Philada. Exchange Co., for the year.....	4 "
Delaware and Raritan Canal and Camden and Amboy Railroad Company.....	3 "

[*Id.*

**Antiquities.**

The last Franklin Times has an interesting article under this head, in relation to the recent exhumation from an ancient mound on the farm of Eden Burrowes, near the village, of a human skeleton of extraordinary dimensions. It was found at the depth of some 12 or 15 feet below the surface, between what appeared to have been two logs, seemingly covered with a wooden slab. "The bones were pretty nearly entire, and were considerably over the ordinary size of human bones of these days. The under jaw bone, which was yet entire, was large enough to shut over the jaw, flesh and all, of any common man of the present day. So of the other bones—all bore proportions equally large, and as much above the medium size. His thigh bones were six inches longer than those of any person would measure who has yet seen them. Teeth, arms, ribs, and all, gave evidence that "there were giants in those days." Around his neck was found a string of one hundred and twenty copper beads, in a perfect state of preservation, and amongst them was one to all appearance of pure silver." Near these remains was found a skeleton of smaller dimensions with a string of beads, about one hundred in number, of ivory. The string with which the beads were connected was still apparent though time had destroyed its consistence.—*Lebanon (Ohio) Star.*

**Profitable Investment.**

The Mobile Insurance Co. has declared a dividend of *eight per cent.* for the last six months. This is a comfortable interest on an investment, in these times of corporative difficulties.

The company has been one of the most successful, of which we have any recollection. We hear occasionally of large dividends by other institutions, after a season of extraordinary success. But this company has with one exception made large dividends ever since its commencement ten years ago. That exception was after the great fire. In ten years it has divided within a small fraction of *one hundred and fifty per cent.* and has a handsome surplus on hand.—*Mobile Journal.*

**Sun Cured Tobacco.**

A hogshead of sun-cured tobacco was last week sold in Lynchburg at the rate of \$25 25 per 100 lbs. This is said to be the highest price obtained this year.

**French Report on the theory of Mr. Espy concerning Tornadoes.**

[Committee, Messrs. Arago, Pouillet, Babinet, reporters.]

Messrs. Arago, Pouillet and myself have been appointed by the Academy to make a report to it upon the observations and theory of Mr. Espy, which have for their object the aerial meteors known by the names of storms, water-spouts, and tornadoes, which cause so much destruction on land and sea in the vicinity of the Gulf of Mexico. These storms are produced in the same manner in every part of the globe, when a few given circumstances concur in one place.

The labors of Mr. Espy have already considerably occupied the attention of the learned world, and may be considered under three different points of view. First, the facts which he has recognised and substantiated, and the proofs which support them; and second, the physical theory by which he explains them and the conclusions which he deduces from that theory; third, the observations which are yet to be made according to this theory, based upon facts, and the practical rules which the mariner, the farmer, and the meteorologist will obtain from it: the two former for their own benefit, the latter for science, which is useful to all.

The facts which result from the numerous documents which Mr. Espy has placed in the hands of the Committee, are the following: the motion of the air in the meteor under consideration, called tornado or water-spout, if it is violent, and of small extent—a storm if it covers many degrees of the earth's surface; the motion of the air, we say, is always convergent, either towards a single centre, when the tornado has a circular form and limited extent, or towards a diametrical line, when the tornado or storm is of a lengthened form and extends over many hundred leagues.

If the tornado is very small, in which case the violence of the motion of the air is greater, a cloud is frequently seen in the centre whose point descends more and more until it touches the earth or sea. Water-spouts are small tornadoes, and the force of these meteors in the South and East of the United States is such, that trees are carried up in the air, and the heaviest objects are overturned, displaced, and transported. Finally, we have only to call to mind the well known storms of the Antilles, which change even the form of the ground over which they pass. We will adopt the technical word tornado to designate the meteor in question, whatever may be its extent or violence. China and the neighboring seas, Central Africa and the South-West part of the Indian Ocean, are, like the West Indies, the theatre of meteors of the same nature and not less disastrous.

In observing at the same moment the force and direction of the wind, which is shown by the overturned trees, the displaced moveable objects, in a word, by the traces impressed upon the soil, Mr. Espy proves that in the same instant the motion of all parts of the air which is reached by the tornado is tending towards a central space, point, or line, so that if the wind on one side of the meteor blows towards the *East*, it blows with the same violence towards the *West* on the other side of the tornado, and frequently at a very short distance from the first place, whilst in the centre, an ascending current is formed of astonishing rapidity, which, after having risen to a prodigious height, spreads out on every side to a certain limit, which we shall soon determine by the observations of the barometer. This ascending current loses its transparency at a certain height, and becomes a true cloud of the kind called *cumulus*, the base of which is horizontal, and whose height is determined by the temperature and humidity of the atmosphere. The central cloud of the tornado is constantly re-produced, in proportion as it is carried off by the rapid current of the centre; and, according to Mr. Espy, when rain or hail proceeds from this meteor, which is generally the case, it is the cold caused by the expansion of the air carried into the higher regions of the atmosphere, which condenses the water. Electricity, when it appears in the tornado, is not, according to Mr. Espy, essential to the phenomenon.

The existence of an ascending current of extreme violence once placed beyond doubt by the phenomena of the rising of the air, and its motion towards a centre or towards

the great diameter of the oblong space occupied by the tornado being well established by facts, Mr. Espy examines the progressive movement of the whole meteor, which is very slow, compared with the velocity of the wind in the mass of air which becomes at each instant a part of the tornado. Mr. Espy shows that near the latitude of Philadelphia, where cirrus clouds, very elevated as is known, move towards the east, the centre of the tornado moves almost always towards the East as well as in Europe, where the West wind is predominant; whilst in the inter-tropical regions (Barbadoes, Jamaica, the North of the Indian Ocean,) the meteor moves towards the West or North-West, following the course of the trade winds. These assertions are also verified with regard to China and the Indian Ocean, according to the maps of Berghous. The barometer, in the centre of the meteor, is sometimes nearly 2 2-5 of an inch (60 millimetres) lower than towards its border, and its limit is marked on all its outline by a closed curve, along which the barometer is found to be at its "normale" height, whilst on the other side of this line, further from the centre, the barometer is observed to rise, which rise in small tornadoes is 8-100 of an inch, (2 millimetres,) but which may be 40 or 48 hundredths of an inch, (10 or 12 millimetres) in very extended storms. If the centre of the tornado moves, (which may take place in any sense when compared with the diametrical line,) and the effects produced by the motion are examined, it is always found that if the meteor has followed in its motion the line of its greatest diameter, the tree which fell the first, indicates a point anterior in the path of the meteor, and the tree which fell last, a posterior point. Thus it is constantly found that the trees which were overthrown with their tops turned towards positions anterior to the centre of the tornado are covered by trees falling in the direction of the centre at a posterior period. In short, in this same case, the branches of the trees not overthrown, growing on the side farthest from the opposite side of the line which the centre of the meteor takes, have followed the wind and are twisted around the trunk of the trees.

The circumstances favorable to the sudden production of a tornado, large or small, are according to Mr. Espy, a warm and humid atmosphere, covering a country sufficiently level and extended, still enough to allow that part of the air which is accidentally the least dense, to rise to a great perpendicular height above the middle of the heated space which is charged with transparent vapor; moreover, in the highest regions, a cold and dry air, whose situation and especially whose density contrasts with that of the ascending current which dilates, cools, loses its transparency by the precipitation of its dampness, keeping, notwithstanding a specific gravity less than that of which the air surrounds it, and by its expansion, presenting the form of a mushroom or the head of a pine with or without the prolongation or appendage towards the base, which appendage, cloudy and opaque, shows a space where the expansion and the cold are at their maximum, and where, consequently, the precipitation of vapor commences almost immediately above the ground or the surface of the sea.

Such, are then the principal points which Mr. Espy has obtained from numerous observations. The motion of the air towards the centre of the meteor, the depression of the barometer in the centre, the central ascending current the formation of cloud at a certain height, and its circular expansion after this cloud has attained a prodigious height, an expansion accompanied with rain and hail, and finally the motion of the whole meteor, *en masse*; these, I say, are the points which the extensive labors of Mr. Espy, his own observations, and the documents which he has collected, and which he intends publishing immediately in a special work, have placed beyond doubt, and which seems even to have triumphed over every objection and to have rallied all opinions to his own.

Let us now see the theory upon which he bases his observations, or rather which is based upon these facts well observed, well proven and always reproduced in nature with similar circumstances.

Mr. Espy thinks that if a very extended stratum of warm and humid air at rest, covers the surface of a region of land

or sea, and that by any cause whatever, for example a less local density, an ascending current is formed in this mass of humid air, the ascending force, instead of diminishing in consequence of the elevation of the rising column, will increase with the height of the column, exactly as though a current of hydrogen was rising through the common air, which current would be pushed towards the top of the atmosphere, with a force and velocity in proportion to its height. This column of heated air may also be compared to that in chimneys and stove-pipes, of which the draught is in proportion to the height of the pipe containing the warm air. What then is the reason which renders the warm and humid ascending current, lighter in each of its parts, than the air which is found at the same height with these different portions of the ascending column?

This cause, according to the *quite sufficiently exact* calculations, [*tres suffisamment exact,*] of Mr. Espy, is the constantly higher temperature which the ascending column retains, and which proceeds from the heat furnished by the partial condensation of the vapor mixed with the air, making this ascending column a true column of heated air, that is to say, of a lighter gas; for the weight of the water which passes into the liquid state, is far from compensating the excess of levity which proceeds from the more elevated temperature which the air preserves. (This weight only equals one-fifth of the diminution of the weight in ordinary circumstances.)

Thus, the higher the column is, the greater is the ascending force, and the rushing of the surrounding air on all sides will be produced with more energy. To understand this effect better, let us consider a mass of warm and dry air rising in the midst of a colder atmosphere. In proportion as this air rises, it will expand because of the less pressure which it will experience, and consequently become colder; it will arrive then quickly at an equilibrium both of temperature and pressure with a layer more or less elevated, which it will soon reach, and in which it will remain; but if this only cause of cold, expansion, is overbalanced by a cause of heat, for example, the heat furnished by the vapor which is condensing, this air will remain constantly warmer than would have been necessary to attain the same temperature and pressure as the surrounding air. It will then be constantly lighter, and the higher the column, the greater the ascending force.

The calculations of Mr. Espy show, without the slightest doubt, that the column of damp air regaining in temperature, by the condensing of the vapor, a part of the heat lost by expansion; this column always remains warmer than the air which is at the same height with each of its parts. Finally, Mr. Espy furnishes the exact data which are still wanting to science, by the experiments made upon the temperature which the air preserves by the effect of condensation of the vapor in a closed vessel, which he calls a "nepheloscope," and in which he compares the thermometrical fall produced in the air by a diminution of superincumbent pressure, to what takes place in nature, whether operating on dry, or employing damp, air. Notwithstanding the influence of the sides of the vessel, every time a light cloud is formed in the apparatus, the temperature undergoes a much less reduction than that which takes place when the point of precipitation of vapor has not been attained, or when the experiment is tried on dry air.

The theory of Mr. Espy also accounts very well for the formation of a true cloud analogous to the cumulus with horizontal base, from the moment when the warm and damp air has acquired such an expansion, that the cold produced by it will cause a precipitation of water, and the base of the central cloud of the tornado, if it is horizontal, as is the case in the great meteors of this nature, should be lowered in proportion as the moist air which is carried up is more fully charged with vapour; this base, like that of the cumulus, being of necessity found at the point where the temperature of the ascending current becomes that of the *dew point*, which itself depends evidently upon the degree of dampness of the air. This theory further explains how, in the small tornadoes, whose violence is remarkable, an expansion takes place in the centre of the meteor, at a very small height,

sufficient to condense vapor by the cold and consequently to produce this kind of appendage which particularly distinguishes small tornadoes, or common water-spouts. Let us add that the calculations of Mr. Espy, upon the density of the warm column, its comparative levity, the ascending force of the current, the central depression which is the consequence of it, the rapidity with which the surrounding air rushes towards the place where the pressure is diminished, finally all the conclusions drawn from the physical data of the phenomena have been proved and ascertained with sufficient exactness to leave no doubt as to this portion of Mr. Espy's theory.

One word remains to be said relative to the progressive movement of the meteor. This movement may depend upon an ordinary wind, which imparting a common motion to the whole atmosphere, would not disturb the ascension of the column of moist air. But as these phenomena are produced suddenly in the midst of a great calm, Mr. Espy thinks that, in accordance with observed facts, the motion of the meteor should be attributed to the winds, which predominate in the upper part of the atmosphere, and that in moderate latitudes, this motion should thus take place towards the East, whilst in the equatorial regions this motion should be directed towards the West, as the current of the trade winds. In a word, the slight surcharge which is owing to the spreading out of the air around the top of the meteor, accounts for the trifling elevation of the barometer, which the invasion of the tornado, in every place presents, and can even, according to Mr. Espy, serve as a prognostic of it. Another result is, that beyond the limits of the meteor, a feeble wind ought to be observed, as is the case, whose direction is opposed to that of the air which is violently rushing towards the centre of the tornado.

The consequences which Mr. Espy deduces from this theory, are that in many localities, in Jamaica, for example, the sea-breezes cause a motion of the air perfectly analogous to that which constitutes a tornado, and that the results of it are the same, namely, rain and tempest at stated hours, on each day of summer. The same circumstances produce the same effects in other well known localities, volcanic eruptions, great conflagrations of forests, with the favorable circumstances of tranquillity, heat and moisture, ought also to produce ascending currents and rain. In the midst of all the theoretical deductions of Mr. Espy, it should be remarked that a descending current of air never can communicate cold, for this current would become warm by compression in proportion as it should descend, and the meteorological temperature of many places sheltered from the ascending winds, is considerably augmented by this cause. The tempests of sand in many parts of Africa and Asia, although possessing much less violence, owing to the dryness of the heated air, accord perfectly with the theory of Mr. Espy, both as to quantity and the nature of their effects. Lastly let us observe that if, in tornadoes the air is absorbed by the lower portion of the column and not by the higher parts, it is that the difference between the pressure of the heated column, and that of the surrounding air, is much more marked as it is considered lower down, in the column of less density and equal elasticity, so that in the case of an equilibrium, at the lowest point this difference would be precisely the total difference of the whole heated column, to the whole column of air of the same height situated around the first. The observations and experiments which have been suggested to Mr. Espy by the study of the phenomena of tornadoes, and the theory he has given of them merit the most serious attention. It is very evident that Science would be much benefited by the establishment of a system of simultaneous observations of the barometer, thermometer, hygrometer, and especially of the anemometer, if at least they could be procured capable of giving with sufficient accuracy, the intensity of the wind at the same time with its direction and the time of each variation of force. The influence which electricity exerts in this phenomenon, remains yet to be determined. Mr. Espy thinks that artificial causes, for example great fires kindled in favorable circumstances of heat, of tranquillity and humidity can cause an ascending column of much less violence, the useful results of which would be on

the one hand rain, and on the other the happy prevention of disastrous storms. It will be necessary to see in Mr. Espy's work itself, the further beneficial results to navigation from the views furnished by his theory.

The different manners in which philosophers, by means of apparatus whose principle of action is the centrifugal force, have imitated water-spouts or small tornadoes, do not appear to us reconcilable with Mr. Espy's theory, which, based upon facts, equally refutes the idea of a whirling motion of the air in the tornado.

Here we should compare the theory of Mr. Espy with other theories anterior or contemporaneous. The labors of Franklin, and of Messrs. Redfield, Reid and Petier would furnish as many excellent observations and parts, or the whole of the phenomena, very well studied. But this extensive discussion which we should have to establish before deciding in favor of Mr. Espy, would lead us too far. Mr. Espy himself, as to the electrical part of the phenomena, which, however he regards as only accessory and secondary, acknowledges that his theory is less advanced and less complete than it is with regard to the phenomena of the motion and precipitation of the water, which are according to him, the base of the production of the meteor.

Finally, it is proved by the investigations of Mr. Espy that it will be impossible hereafter to adduce in the "normale" state of the atmosphere, a descending current of air as a cause of cold, or as an ascending current of dry air, a cause of heat. The applications of this theory present themselves in "climatology," but this principle especially discards the idea of explanation of the tornado by the centrifugal force, which would then cause the upper air to descend in the centre of the tornado, which air becoming heated by the augmented pressure, could not allow its own vapor to be precipitated nor precipitate that of the air with which it came in contact.

#### Conclusion.

In conclusion, Mr. Espy's communication contains a great number of well observed and well described facts. His theory, in the present state of science, alone accounts for the phenomena, and when completed, as Mr. Espy intends, by the study of the action of electricity when it intervenes, will leave nothing to be desired. In a word, for physical geography, agriculture, navigation and meteorology, it gives us new explanations, indications useful for ulterior researches, and redresses many accredited errors.

The Committee expresses then the wish that Mr. Espy should be placed by the government of the United States, in a position to continue his important investigations, and to complete his theory, already so remarkable, by means of all the observations and all experiments which the deductions even of his theory may suggest to him, in a vast country, where enlightened men are not wanting to science, and which is besides as it were the home of these fearful meteors.

The work of Mr. Espy causes us to feel the necessity of undertaking a retrospective examination of the numerous documents already collected in Europe, to arrange them and draw from them deductions which they can furnish, and more especially at the present period when the diluvial rains which have ravaged the South-East of France have directed attention to all the possible causes of similar phenomena. Consequently, the Committee proposes to the Academy to give its approbation to the labors of Mr. Espy, and to solicit him to continue his researches, and especially to try to ascertain the influence which electricity exerts in these great phenomena, of which a complete theory will be one of the most precious acquisitions of modern science.

The conclusions of this report are adopted.—*Boston Pat.*

#### Peoria, Ill., June 17.

Last Friday at 2 P. M. the mercury stood  $90\frac{1}{2}$ , a temperature higher than we have ever known here before. During Saturday and Sunday it fell considerably, and Monday morning was cold enough to make a fire very agreeable, and even a great coat would not have been oppressive. Yesterday afternoon it was quite warm again.—*Register.*

### Rotary Steam Engine.

A few weeks since, we had an opportunity of examining an ingenious piece of mechanism, then unfinished, for the production of steam power by means of a rotary, instead of a vibrating piston. We were yesterday gratified with a view of the same machine finished, and at work driving the printing press of the Daily Mail, throwing off papers at the rate of sixty or seventy a minute.

The machine is the invention of Mr. J. Tuttle, of this city, and was built by Mr. Edward Norfolk, a machinist from Salem. Mr. Tuttle, we understand, has obtained a patent for his invention. It is extremely compact in its form, the whole machine occupying a very small space. Much of the ordinary machinery is dispensed with, from the rotary motion being produced at once, by the revolution of the piston about a shaft, to which shaft is attached the drum or other means of communication with the working machinery.

The axis of the cylinder is circular, and enclosed within a sort of box formed by two circular plates, within which box, and within the cylindrical ring, are contained all the machinery of the engine. The piston is attached to a revolving plate, the edge of which fits into a groove in the cylinder. There are two valves, the apparatus for working which is all within the box. The steam is admitted by a pipe at one side of the box, and discharged at the other.—The diameter of the circle formed by the axis of the cylinder, is 20 inches, and accordingly its circumference, or the distance travelled by the piston in each revolution, is about 5 feet, this circumference being divided by the valves into two parts.

The diameter of the piston is  $3\frac{1}{2}$  inches, and in working with steam at a pressure of 60 lbs. the power is computed to be equivalent to about  $4\frac{1}{2}$  horse power. The whole space occupied by the engine, exclusive of the boiler, is no more than is required for this box, and a cast iron frame upon which it stands, measuring in all not more than  $3\frac{1}{2}$  feet in height, length, and width, each.

The machine appears to work with ease, the motion is equable, and the action of the steam constant—it may be stopped at any point of the revolution of the piston, and may be started from the same point, or reversed at pleasure—the joints are tight, so that there is no waste of steam,—and there is very little pressure upon the valve, at the time of its movements, and little friction from any other cause.—From its present appearance and manner of working, it promises to be a useful engine—possessing the advantage of compactness, simplicity, and apparently cheapness. Its value must soon be tested by actual use.—[*Boston Patriot.*

#### Living in Pittsburg.

We passed through the Diamond Market yesterday, and were as usual, gratified at the abundance of good things which were displayed around. We quote the prices of a few of the articles: Beef, choice pieces, 6 a 7 cents; veal, best cutlets, 5 a 6; lamb, first quarter 25 a 31, hind quarter 31 a  $37\frac{1}{2}$ ; cherries, per quart, 5 a 6; currants, 3 a 4; gooseberries 4 a 5; butter, per pound, 8 a 10; eggs, per dozen, 8; chickens, per pair, 25 a  $37\frac{1}{2}$ ; onions 3 a 4. The lettuce, salads and radishes were very fine, and too cheap to mention.

[*Pittsburg Advocate.*

#### New York Business Directory.

In the New York Business Directory for 1841, just published by J. Doggett, Jr., the following statement is given of the number of individuals and firms in the several occupations named.

Importers 500; Commission merchants 500; Dry Goods Jobbers 250; Wholesale Grocers 231; Hardware Dealers 60; Clothiers 176; Brokers 343; Banks 41; Insurance Companies 60; Lawyers 600; Newspapers 50; Periodicals 51; Foreign Consuls 43.



### Report upon a Bankrupt Law.

The following Report, from the Committee on the Judiciary, accompanied the Bill reported by Mr. Bernard in the House of Representatives on Wednesday last, for establishing a uniform system of Bankruptcy :

This Committee on the Judiciary, to whom have been referred the petitions and memorials presented to the House on the subject of a Bankrupt Law, respectfully report :

In the opinion of the committee, a Bankrupt Law ought to be passed by Congress without unnecessary delay ; and they present a bill for the consideration of the House.

This bill is essentially the same that was matured in the Senate in the first session of the last Congress, after great deliberation, and which finally passed that body. It was not then considered in the House for want of time.

The policy of laws designed to afford remedy and relief as between creditors and their debtors who are hopelessly insolvent, has the sanction of usage, in the past and the present, among nearly all highly civilized and business communities. The leading idea upon which these laws have proceeded has certainly not always been the same ; it has varied with the general state of the law, and with the progress of society. In a country where the creditor was, by law, the undisputed arbiter of liberty and life to his insolvent debtor, the immediate motive for interposition must have been different from that which has promoted legislative interference where the relation of debtor and creditor has been differently understood.

In England, bankrupt laws had their origin apparently in the idea that debtors who did not pay were merely unwilling, and not unable to pay. The first bankrupt law passed in the time of Henry 8th was levelled against those "who craftily obtained the goods of other men, and fled ; or kept their houses, not minding to pay their debts." It came in aid of the law, proceeding on the same idea of ability and unwillingness, which authorized imprisonment for debt—a thing unknown to the common law. If a debt was not paid, the credit itself was supposed to have been *craftily* obtained ; the ability to pay was presumed ; the debtor was arrested and imprisoned till he should be made willing ; or, if he had fled or kept house, so that arrest was impossible, his estate passed into the custody of the law for the liquidation of the debt.

So long as this idea of ability and unwillingness prevailed, and no other was admitted, the whole evil, so far as creditors were considered, was supposed to be adequately met by the punishment of imprisonment or confiscation. When, however, it was found, as industry and production came to be increased by the use of capital and credit, that the mass of debtors who did not pay were, not only unable but unwilling, it became necessary to turn round, and, without disarming the creditor, throw a shield over the defenceless head of his honest and innocent debtor.

The law in England on this subject, often variously modified in matters of detail, now is, and has long been, in substance :

First, That where creditors invoke the punishment of imprisonment on their debtor, the latter, if willing but unable to pay, may regain his freedom upon a voluntary and honest surrender of his property, to be applied towards liquidation.

And second, that where creditors invoke the punishment of confiscation on their debtor, which can only be done where the debtor belongs to one or another of certain specified classes, the creditors shall take the full benefit of the proceeding by the application of the property towards the payment of their debts : *provided* the debtor, being honest and willing but unable to pay in full, shall, on certain terms and conditions, be for ever discharged from all legal obligation to pay the rest and residue of his debts.

Thus the law of interposition and relief, in England, as between creditors on the one hand, and debtors who cannot pay their debts on the other, stands, and is administered, in two distinct branches, and under two distinct systems. In the one system the debtors are denominated insolvent ; in the other they are called bankrupt. In a report

made to the Queen in July, 1840, and signed by eight out of nine commissioners appointed to investigate this subject, it was strongly recommended to reduce these two branches of the law and systems of administration to one consistent system, and make the whole law of the case more conformable to reason and to right.

The principal improvements in the law relating to insolvency proposed by the commissioners are these :

To extend the benefits of the discharge from debts, in case of bankruptcy, beyond the mercantile and other specified classes, to which they are now chiefly confined, so as to embrace "all persons engaged in business requiring a capital and credit."

To allow and encourage a voluntary cession of property, on the part of insolvents, "at such period of their difficulties as will best ensure equal justice to all their creditors."

To make the granting of a certificate of discharge a judicial act, which may be opposed by creditors for cause, but to which their consent shall not be necessary.

The suggestion of these improvements is sufficient to indicate the great change which public sentiment has undergone, or is undergoing, in England in regard to the proper basis on which those laws ought to rest that interpose their special authority between creditors and their insolvent debtors.

At this day and in this country, if a system of laws relating to bankruptcies is to be established, it is believed that it is not difficult to perceive and state the grounds on which it ought to stand.

Credits, or demands, are property, in which, not unfrequently, the bulk of large individual estates consists. As property, they are under the protection of the law, as much as any other kind of property. All the rights of property attach to them—the right of protection and defence against all encroachment and injury, and the right of recovery when wrongfully taken away, or withheld. They are private property, and private property is sacred. It must be respected. And the law must be vigilant and efficient in its guardianship of it. Failure in this is failure in the highest duty of civil society, and tends directly to dissolution.

But the nature of credit, or demands, is such as to constitute them a peculiar species of property ; and, before we can undertake to pronounce with certainty on the whole duty of society and the law in regard to them, we must consider attentively their nature and peculiarities.

They are held by a peculiar tenure—a tenure which implies and includes a contingency. The foundation of loan is trust, wherever securities are not taken ; it is confidence ; it is credit—all terms which imply risk, and the possibility of failure. The risk relates to the question of solvency or insolvency when the period comes for demanding payment. This kind of property is held subject to this contingency, and the lender himself takes the risk ; he is his own insurer. If his debtor fails, he loses ; if not, he has his own.—He charges, too, for this risk, in the shape of interest, premium, or commission. He parts with the immediate possession of his property, expecting it to come back to him, in proper time, with increase ; he puts it afloat, and takes the hazards of the voyage, for a consideration. If whelmed in the turbulent sea, he expects to sustain the loss. He is content to hold his property subject to this contingency.

While his debtor remains solvent, which is always to be presumed until the contrary appear, the duty of society and the law towards him and this property of his is plain enough. If he invoke the law in the case, it will come efficiently to his aid. If his debtor attempt to elude his demand by flight or fraud, it will arrest him and restrain him of his liberty ; and, otherwise, it will seize the unwilling debtor's estate and make the debt out of it for the creditor. When the law by these means has aided the creditor in the recovery of his property, it has done all its duty as against his solvent debtor.

But suppose, before such recovery is had, the debtor is found to have fallen into a state of hopeless insolvency ; in other words, that contingency has arisen subject to which the demand has been holden from its inception ? In this case a new duty has arisen on the part of the law.



The fact of insolvency being ascertained, the fact of utter and hopeless inability to pay all his debts, the debtor stands to each creditor, if not in a new relation, at least in a relation materially modified. His creditors, taken together, now form a class, looking for a common relief to a common fund, which is insufficient to satisfy them all; and every principle of equity and justice requires that the law should interpose to give to each his distributive share, according to the relative amount of his demand, at the same time casting on each an amount of loss proportioned to the risk and insurance undertaken by him.

When this is done, the inquiry arises, what more remains for the law to do? What further aid can the creditors demand? They cannot have the body of their debtor cut up and divided between them, as was said might have been done under the law of the Twelve Tables, or sell him with his wife and children into slavery, *trans. Tyberim*.—They cannot at this day and in this country load him with chains, inflict stripes upon him, or throw him into a perpetual prison. With us, in this country, it may be considered as wholly settled, by a wise and humane public sentiment and policy, that the law will pursue, and will permit creditors to pursue, an honest but unfortunate and hopelessly insolvent debtor no further, after what remains of his wrecked fortune has been equitably divided amongst those to whom he is indebted.

Beyond this the law sees and wisely adjudges that there is an end of all reasonable hope of further advantage to creditors. A form of indebtedness still remains, but the substance is gone. Nothing is left to the debtor with which to recover himself but his hands. He may labor in employments more or less profitable, according to his skill or his habits, but in no regular employment will or can the wages of labor afford more than a current support to the laborer and those dependent on him, so long as he is not permitted to turn one dollar of his surplus earnings into capital, or obtain one dollar of capital upon credit with which to aid him in enhancing the profits of his business—a thing utterly forbidden and rendered impossible to the bankrupt debtor. To hold the debtor or allow his creditors to hold him in this hopeless position is unjust, unnecessary and cruel. It is to bind him hand and foot and lay him down at the feet of his creditors, a victim and a sacrifice, as much lost to himself, to his family, and to society, if not as much degraded, as if, like the debtor in Rome, he might be led through the public streets by his creditor, with a halter round his body, and he made the unresisting subject of blows and personal chastisement.

It is at this point then that society has an eminent duty to perform towards the debtor and towards itself. That contingency has now happened, the hazard of which the creditor was content to run, for such consideration as was satisfactory to himself; his debtor has fallen into hopeless insolvency, and his demand, or some part of it, has sunk with him. He has nothing to complain of. By the very act of lending the debtor his property, without exacting security, he consented to take his share with other creditors in the risk of loss and sacrifice to which the debtor's business necessarily exposed their property in his hands, and he took or stipulated beforehand for his pay for that very risk. The enterprise has turned out an unlucky one, and he must bear his loss. The law has stepped in, as he knew it would, or as he knew it might and ought, by the terms of the Constitution of the country, to make an equitable adjustment of profit and loss between him and his partners in the enterprise, the other creditors; and having done this, it has done all that the nature of the case admitted of for *his* aid and benefit. And now comes the case of the debtor, and the interest which society has in his restoration.

It is undoubtedly true, that to interfere in the slightest degree to impair the obligation of contracts between individuals is an exercise of high transcendental power on the part of Government. This Government does, when it undertakes to release a party from the performance of any part of his contract. This power is expressly prohibited to the States by the Constitution; and it is believed that it belongs as little to this Government as to the States, except so far as

it may be included in the power expressly given to establish laws on the subject of bankruptcies. Within the legitimate range of such laws, the power undoubtedly exists; and it had long been a part of the policy of such laws, before the adoption of the Constitution, to discharge the honest bankrupt from the remainder of his debts after his entire estate has been applied ratably towards the payment of them.

It is believed that power like this exists, of necessity, in every country where capital and credit are extensively employed in the prosecution of business and of enterprise. In our country, it has been expressly confided to the Federal Government, and it can be exercised, with full effect, by no other authority. The duty of this Government, then, is as plain as its power, and it is believed to be matter of just reproach that it has been so long neglected. After the law has compelled the debtor to the performance of his contracts as far as all his means will go, and when it has, on mature deliberation, pronounced its solemn judgment that further performance at the present time, or at any time, has through unavoidable misfortune, become morally impossible, while the ordinary legal power of his creditors over him remains, then the release of the debtor from any further *legal* liability on his contracts becomes the indispensable duty of the governing power. Let the *moral* obligation remain, as it will, as strong as ever; it is the legal liability only which is touched. It affects the *remedy*, rather than the *obligation*. Government does not tear the contract, or order it to be delivered up to be cancelled. It leaves to the creditor the evidence of his debt in full possession, and it does not relieve the debtor, in the least degree, from the full moral force of his promises and undertakings whenever he may have ability to perform them. It does nothing more than withhold from the creditor the aid and power of the courts, after it has judicially ascertained that further performance on the part of the debtor has become impossible. The duty of civil society to supply to creditors the means of coercion and remedy, through its courts, in case of a breach of contract, is one of indispensable obligation; but Government must decide for itself when this duty has been faithfully performed, and when it has gone far enough for the ends of substantial justice. It must have the right to judge, in the first place, what modes and forms of remedy it will give, and, then, how far such remedy shall be pursued and carried. When it has been pushed as far as it is safe for human power to go—as far as it can go without unmitigated evil—then it is time to withhold it.

On the general principles which have now been stated, the main provisions of this bill rest. No distinction is here attempted to be set up between an insolvent system and a bankrupt system. All persons, whatever may be their occupation who are unable to meet their debts and engagements, are insolvents. And if they so declare themselves, they are deemed bankrupts. These are voluntary bankrupts.

It is in regard to the mercantile classes only, or those whose business renders them directly liable to the peculiar hazards which attend mercantile operations; it is in regard to debtors in these classes only, and where their indebtedness amounts to a certain sum, that the right is given to creditors, under limitations, and on the happening of certain events, to cause such debtors to be declared bankrupt, and have their estates seized for their behoof. These are then involuntary bankrupts. And this is the only distinction made in the bill in regard to the various classes of insolvent debtors in the community, to whom such a bill is deemed at all applicable.

The bill proceeds upon the principle that every person in the community, of whatever calling, who, in the employment of capital and credit, applied by his skill and industry, in production, has fallen into hopeless insolvency, so that all further effort to restore and redeem himself has become evidently useless, is entitled to the relief which this bill is intended to afford; and that in all cases the debtor may, if he choose, take the initiative. With respect, however, to the particular classes just referred to, it has been thought advisable and proper, on account of the great importance and necessity of promptness and punctuality in meeting all their engagements, that it should be put in the power of their

creditors to move against them in certain circumstances, without waiting for them to stir the subject of their insolvency.

In the principles already stated, will be found the reasons for making the provisions of this bill apply as well to existing cases and contracts as to those which arise after the passage of the act.

All the legitimate power of civil society would be exerted in vain to coerce a full compliance with the contracts of insolvents, who have first lost the means of payment which they had in possession, and then are stript by existing laws of all the ordinary and indispensable means and instruments of accumulation and recovery. There are supposed to be not less than 500,000 such persons now in the United States; men who, though now bankrupt and ruined themselves, have by their industry and skill in business, and the use of capital and credit, added millions upon millions to the aggregate wealth of the nation—a wealth that still subsists, though no part of it is theirs; and who need only to be relieved from the bondage of oppressive debt to enter again, with renewed but chastened energy, on the field of enterprise, and add again new millions to the wealth of the community. Society, any more than their own families, cannot afford to lose the services of such men.

It is believed, too, to be the highest interest of creditors themselves that the condition of their insolvent debtors, either voluntary or at their instance should be disclosed before their affairs once on the decline, become desperate, leaving nothing available for the payment of their debts. No doubt whatever is entertained that under a judicious bankrupt system, more will be realized to creditors, on the whole, from their insolvent debtors, that would be if they should be left to follow up the usual remedies without it. Among other advantages which creditors will have under this bill is that of being relieved from those unjust preferences by which it too often happens that the whole estate of a failing debtor is applied to satisfy a favorite creditor in full, while all the rest are left to bear the loss of their entire demands.

That creditors themselves now feel a deep interest in the passage of a bankrupt law, whether viewed as a question of property or a question of policy and humanity, is abundantly evinced by the numerous petitions which have come to us from every quarter of the country, and especially from the great commercial cities. The number of those who still cling to ancient opinions in this matter, and who remonstrate against the escape of their insolvent debtors out of their hands on any terms, is comparatively very small, and is believed to be diminishing almost daily. As we have said, more will be saved out of insolvents' estates under a judicious bankrupt law than could be without it; while to all persons engaged in prosperous business, and to the community at large, the gain which must be realized by restoring so many valuable customers and co-operators in productive employment to active and profitable life and business cannot fail to be immense.

This bill does not include corporations among the debtors on whom it operates. A recurrence to the principles stated in this report will show that a bill, framed on such a basis at this, could not, without serious discrepancy, embrace corporations. Corporations aggregate cannot be imprisoned; nor, where the corporate body is alone liable for debts, could the corporators be imprisoned or held personally responsible in any way. As a general, if not an invariable rule, these corporations end their existence on falling into insolvency. Their effects are distributed among their creditors, and the corporation ceases. Every thing is done, in this respect, in the case of a corporation, under its own charter, which is proposed to be done, under this bill, in the case of individuals; while such corporations, being dissolved after their effects are distributed, could not require and could not receive a discharge from their debts as bankrupts. They would be discharged already. The law of their organization is or should be bankrupt law enough for them. The remedy, moreover, in case of insolvency of a corporation, is complete, or may be, in the State where the corporation exists. The corporation is a creature of the State law, having a local existence, which, from its very nature, lasts no longer than its solvency; and if the corporation falls into insolvency, no aid

or authority on the part of the Federal Government is necessary to give all the relief which the case requires or is susceptible of. State authority and State power is sufficient for this purpose.

The proposition which has sometimes been made to include incorporated banks in a bankrupt bill, proceeds evidently on the notion of the necessity of restraining them in the exercise of their power of creating currency. It is a question of currency; and if the power of arresting State banks in their business of creating currency, or upon their abuse of that business, belongs to this Government at all, it is believed that it is not appropriately derived from the clause in the Constitution concerning bankruptcies, but from some authority which it possesses over the subject of currency.

The committee have not deemed it their duty to go into an inquiry concerning the constitutional power of Congress to legislate over State banks in the mode and with the view proposed; which is understood to be that of arresting their proceedings, by the legal interposition of this Government, whenever they shall suspend payments in specie. Whether such a power exists, and, if it does exist, whether it is expedient to exercise it, seems to have no immediate connexion with the subject now under consideration. We are clearly of opinion that such an enactment could not find a proper, if it could a constitutional place, in a bankrupt law framed on the principles and with the objects of this bill.

#### Annual Consumption of Country Produce in the City of New York.

The following is an approximate estimate of the annual amount of sales of articles of country produce in the city of New York, for the consumption of the inhabitants:

Fresh Beef,.....	\$1,470,000
do Veal.....	365,000
do Mutton and Lamb,.....	335,000
do Pork,.....	600,000
do Poultry, Game, Eggs, &c.	1,100,000
Salted Beef, Pork and Hams,...	1,200,000
Vegetables and Fruit,.....	1,200,000
Milk.....	1,000,000
Butter, Cheese and Lard,.....	1,500,000
Flour, Meal and other bread stuffs,	3,000,000
Hay and Oats,.....	750,000
Fuel, (Wood and Coal) exclusive	
of steam fuel,.....	2,500,000
Articles not enumerated,.....	580,000

\$16,500,000

The above is not intended to include building materials.  
*N. Y. and Erie R. R. Report.*

#### Cunard Steamers.

The Boston Transcript says a year has just expired since their Liverpool steamers began to run. They have made nineteen trips, on an average of fourteen days and ten hours, every thing considered, exhibiting wonderful punctuality.—The Transcript gives the following table of trips, not deducting their detention at Halifax.

Britannia	arrived	July 18, 1840,	in	14	days	8	hours.
Acadia	"	Aug. 17,	"	in	12	"	12
Britannia	"	Sept. 17,	"	in	13	"	12
Caledonia	"	Oct. 2,	"	in	13	"	00
Acadia	"	Oct. 17,	"	in	12	"	12
Britannia	"	Nov. 3,	"	in	13	"	12
Caledonia	"	Nov. 19,	"	in	14	"	22
Acadia	"	Dec. 21,	"	in	16	"	22
Columbia	"	Jan. 21, 1841,	in	16	"	15	"
Britannia	"	Feb. 22,	"	in	17	"	12
Caledonia	"	Mar. 20,	"	in	15	"	20
Acadia	"	April 7,	"	in	18	"	12
Columbia	"	April 21,	"	in	15	"	00
Britannia	"	May 6,	"	in	15	"	10
Caledonia	"	May 19,	"	in	14	"	12
Acadia	"	June 2,	"	in	13	"	12
Columbia	"	June 17,	"	in	12	"	02
Britannia	"	July 3,	"	in	13	"	12
Caledonia	"	July 17,	"	in	13	"	01

Public Land Bill and the Tariff.

Mr. Clifford, of Maine, made a very sensible speech on these subjects, as connected with each other, in the United States House of Representatives, June 29. He opposed the distribution of the proceeds of the public lands among the States, for this special reason, that, after laying a tax of 20 per cent. upon all luxuries, it would still leave a deficient revenue for the support of Government. He said,—  
[*N. Y. Journal of Commerce.*]

"A very slight examination of the documents of commerce and navigation would satisfy every reasonable man that the whole amount of free importations which could properly be called luxuries, constantly with the opinions and habits of the whole people of the country, having reference to every class in society, whether rich or poor, does not exceed twenty-five millions of dollars. A duty of twenty per cent. ad val. on this amount would yield to the Treasury five millions of dollars—provided the enhanced cost to the consumer, the necessary effect of all increased rate of duty, should not reduce the amount of consumption, and consequently the amount of importations. The importation of luxuries is more likely to be reduced by augmenting the rate of duties than necessities, for the obvious reason that the people can better forego the use of the former when the price is high

than of the latter, which are indispensably requisite to a comfortable subsistence, and must therefore be purchased, whether at a high or low price. Put the case in the most favorable light for the argument on the other side, and I am sure that no one who will take the trouble to examine this table from the Treasury Department, will undertake to affirm that any greater amount of revenue than five millions of dollars can be raised from the list of articles therein enumerated; and I will again call upon the other side to specify any other article now free of duty, and of importance to the argument, that they would have included in the list to be effected by the new imposition; if none is named, it will be assumed that none can be.

No one will name any article, and yet it is possible there may be some difference of opinion as to the articles properly denominated necessities, in contradistinction to luxuries. I would like to be informed whether in speaking of luxuries, gentlemen include tea, coffee, sugar and molasses? Amongst my constituents these articles, if ever they were regarded as luxuries, they have ceased to be so. They are consumed in every family, by the poor as much as by the rich; and the habits and customs of the people in this respect cannot be changed by the force of arbitrary and oppressive laws, without producing serious complaint, and they ought not to be so changed under any pretence whatever.

Statement exhibiting the value of certain articles imported in 1838, 1839 and 1840, free of duty, and the amount of duty which would have accrued at twenty per cent. ad valorem.

Species of Merchandise.	1838.		1839.		1840.	
	Foreign cost, &c.	Duty at 20 per cent.	Foreign cost, &c.	Duty at 20 per cent.	Foreign cost, &c.	Duty at 20 per cent.
Silks, lace, shawls, shades, veils, &c .....	\$171,030	\$34,206 00	\$345,490	\$69,098 00	\$309,858	\$61,971 60
Other manufactures of silks..	8,106,675	1,621,335 00	18,685,295	3,717,059 00	7,979,100	1,595,820 00
Silk and worsted goods.....	1,522,272	304,454 40	2,319,884	463,976 80	1,729,792	345,958 40
Camlets of goat's hair, &c...	95,252	19,050 40	128,389	25,677 80	7,240	1,448 00
Worsted stuff goods .....	3,933,455	786,691 00	7,025,898	1,405,179 60	2,387,338	477,467 60
Linens, bleach'd & unbleach'd	3,526,001	705,200 20	6,731,278	1,316,255 60	4,179,120	835,824 00
Ticklenburgs, osnaburgs, and burlaps .....	362,725	72,545 00	483,269	96,653 80	329,054	65,810 80
Sheetings, brown and white..	325,345	65,069 00	535,789	107,157 80	261,173	52,234 60
Bolting cloths.....	28,972	5,794 40	64,283	12,856 60	74,534	14,906 80
Wool, not above eight cents per pound.....	445,478	89,095 60	527,620	105,524 00	675,009	135,001 80
Quicksilver .....	115,534	23,106 80	245,660	49,132 00	54,415	10,883 00
Crude saltpetre.....	142,389	28,477 80	369,152	73,830 40	366,263	73,252 60
Tin in plates and sheets....	1,025,649	205,128 40	1,145,183	229,036 60	879,078	175,815 60
Animals not for breed.....	150,219	30,043 80	251,286	50,257 20	145,511	29,102 20
Opium .....	83,726	16,745 20	254,975	50,995 00	40,874	8,174 80
All other articles .....	5,033,607	1,006,721 40	8,707,402	1,741,480 40	5,849,116	1,169,823 20
	\$25,068,322	\$5,013,664 40	\$47,820,853	\$9,564,170 60	\$25,267,475	\$5,053,495 00

TREASURY DEPARTMENT, Register's Office, June 28, 1841.

T. L. SMITH, Register.

Physicians' Fees in Old Times.

By the following extract from the State records, our readers will perceive that the salary and fees of the physicians in this State were formerly, in some cases at least, fixed by law at a rate that would hardly be satisfactory to the profession at the present day. In addition to the following scale of fees for medical gentlemen, adopted in 1652, the prices for all the produce of the farmer and the wages of day laborers were at the same time fixed by law.

General Court, 1652.

Thomas Lord having engaged to this Court, to continue his abode in Hartford for the next ensuing year, and to improve his best skill amongst the inhabitants of the towns

upon the river, within this jurisdiction, both for setting of bones and otherwise, as at all times occasions and necessities may or shall require. This Court doth grant, that he shall be paid by the country, the sum of fifteen pounds for the said ensuing year—and they do declare, that for every visit or journey that he shall take or make being sent for to any house in Hartford, twelve pence as reasonable; to any house in Windsor, five shillings; to any house in Weathersfield, three shillings; to any house in Farmington, six shillings; to any house in Mattabeseeck,\* eight shillings—(he having promised that he will require no more,) and that he shall be freed for the time aforesaid from watching, warding and training, but not from finding arms according to law."

\* Middletown.

[*Hartford Courant.*]

Votes in Boston for Presidential Electors in 1840.

Mr. Editor,—Having recently had occasion to count the names of voters on the several Ward Lists in Boston, at the Municipal election on the 14th of December, 1840, I find the whole number to be 15,299. It was stated in the Mercantile Journal on the 5th of November last, that the whole number on the lists on the 4th of the same month, 5 days before the choice of Presidential Electors, was 15,212, only 87 less than they were on the 14th of December. It is presumed that, in these 5 days, 87 names were added,—and that few or no names were added or erased during the interval between the two elections; so that, without material error, we may assume 15,299 as the number of voters on the Lists on the 9th of November, 1840, at the election of Presidential Electors; and accordingly I have constructed the following Table, which contains in the 1st column the Wards; in the 2d, the number of voters on each Ward list; in the 3d, the number of votes in each Ward for Presidential Electors, November 9, 1840; in the 4th, the ratio per cent. of votes to voters; in the 5th, the number of voters absent from the polls at the Presidential Election; in the 6th, the number of inhabitants in each ward, according to the United States Census of June, 1840; and in the 7th, the ratio per cent. of votes to the population.

Wards.	Voters.	Votes.	Ratio of votes to voters. p. c.	Absent.	U. States Census of 1840.	Ratio of votes to popula- tion. p. c.
1st	1406	1005	71.47	401	7512	13.37
2d	893	642	71.89	251	*15282	4.20
3d	1685	1188	70.50	497	7345	16.17
4th	1625	1239	76.24	386	7389	16.76
5th	1372	1110	80.90	262	6879	16.13
6th	1369	970	70.85	399	7288	13.30
7th	1380	1052	76.22	328	6182	16.22
8th	810	668	82.46	142	6702	9.96
9th	1192	923	77.43	269	6742	13.69
10th	1188	952	80.13	236	8136	11.70
11th	1419	1095	77.16	324	7450	14.69
12th	960	764	79.58	196	6176	12.37
Total,	15,299	11,608	75.86	3,691	93,383	12.43

From which it appears, that, notwithstanding the efforts which were made to induce all the voters to go to the polls, only 75.86 per cent. of those whose names were on the lists, carried in their votes for Presidential Electors, November 9, 1840, while 3691 voters were absent from the polls. This fact may surprise some who have not looked into the subject.

The population of Boston, according to the United States Census of 1840, was 93,383, of which 11,608, the whole number of votes, was only 12.43 per cent.; while the proportion in other parts of the State of Massachusetts was 17.90 per cent, and in the whole State 17.20 per cent. In all the States except South Carolina, where the electors are appointed by the Legislature, and leaving out of the account the colored population, who are excluded from the ballot-box, and some others, the proportion of votes to the free population was 17.35 per cent.

Had all whose names were on the lists, voted, the proportion of votes to the population in Boston, would have been only 16.38 per cent. It seems that the comparative number of voters, and especially that of votes, was very small in Boston. Very few of the States returned so small a proportion,—only Rhode Island, where the elective franchise is very much limited, with but 7.85 per cent.; Virginia, with

11.37 per cent., and Louisiana, with 12.26 per cent., returned so small a proportion as Boston. In the last two States, the colored population are left out of the account, as they are excluded from voting.

In Michigan, the proportion was the greatest in any of the 25 States, being 20.87 per cent. of the whole population, and 20.94 per cent., exclusive of the colored population, who are prohibited from voting; the next greatest proportion was in New Hampshire, where it was 20.82 per cent. It would be an interesting subject to inquire into the causes of these differences. I will, at this time, merely add, that the increase of population in Michigan has been greater than that of any of the States, from 1830 to 1840—it having been 180,628, from 31,639 to 212,267, or 570.90 per cent. in these ten years.

G.

[Boston Atlas.

A visit to Miss White, at Plymouth.

A visit to Miss White, at Plymouth, a descendant of the Pilgrim Father, William White.—She received us reclining on her bed, but neatly dressed, as for ten years past she has had but a partial use of her limbs for walking. Her face, however, was remarkably free from wrinkles that usually accompany so great an age, her features were so pleasing as to indicate the possession of great beauty when young, and she had not a gray hair on her head. Her hair was as brown though not quite so full as that of a woman of 25; and her cheerful smile, firm voice, and intelligent conversation, made it difficult to believe in what was, however, beyond all doubt, that she was really 91 years of age. She described her sight as perfectly good; and her constant occupation of knitting, sewing or reading, had never yet relaxed, or become painful. The room in which she lived, was in a house more than two hundred years old, and one of the earliest of those built in the colony. It was of wood but constructed with great strength, and the exact pattern of an English house of the same period—a central door, low but wide, with a large handle shaped brass knocker, (of which we saw more in Plymouth than in any other town) with a broad entrance hall, and rooms on each side. The house was two stories in height but the ceilings were very low; and across those of the larger rooms, extended a thick and heavy beam of wood, laid flat, and not endwise as in modern buildings. Miss White's room was called "The Cabin of the Mayflower," and it was certainly the most perfect cabinet of antiquities we had yet seen.

The chair used by Governor Carver, on board the Mayflower, made of old English oak, with a staple for lashing it to the ship's deck in stormy weather, was a prominent article in the furniture: the other chairs were of the old high-backed English fashion, the seats stuffed with hair, the wood of dark mahogany, the covering of striped black stuff.—The old chest of drawers, with fanciful brass handles; the oak framed horizontal paned glass over the chimney-piece, the little lion pawed mahogany pier-table, the perpendicular and narrow oak framed pier-glass between the front window, with the dark green watered moreen curtains, and the family arms of the Whites and the Howlands, both Pilgrim Fathers, hanging over the mantel-piece, framed and glazed, as issued from the Herald's College in London, carried one back so completely to the English country mansions of past centuries, that it was difficult to feel one's self in the New World, and among a yet infant people.

[Buckingham's America.

Arrival Extra.

The schooner Experiment, says the New Haven Palladium, loaded with lumber and oars, and manned by three men, arrived in our harbor yesterday from Presque Isle, on Lake Erie, about 70 miles above Buffalo, which place she left on the 2d inst. She is above 60 feet in length, although heavily loaded, draws but two feet and a half of water. The captain, as one might know, is a true Yankee, and is bound to Providence his native place, and has taken this method to make his visit a profitable one.

\* In the State census in May, 1840, the population of 2d ward was 6817, and the proportion of voters would be 9.41 per cent.; but in the United States census, 8465 more persons were included. In the other wards there are small variations, but not enough to make any material differences in the proportions.

Coffee Trade of the U. S. from 1821 to 1840.

In reply to an inquiry of a member of Congress relative to the comparative prices of Coffee for a series of years prior to, and since, the act of 1833 abolishing the duties, we have prepared the following table--taking the annual reports of the Secretary of the Treasury as the basis of our calculations. We know of no other mode of arriving at the facts, although we are aware, from the circumstance of the different qualities of Coffee, being all blended together, the average thus obtained, will not probably correspond with the actual price of any particular quality taken separately. But for the gene-

ral purpose of the present inquiry, this mode of arriving at the desired information, may be a sufficiently close approximation to the truth. The value and prices of the imports being obtained from the invoices, must show correctly the cost at the place of purchase. The value of the exports, is, we presume, a general average of the prices throughout the year, as obtained at the Treasury Department--and we learn from the Custom-House, is the value of the article at the "short price," that is with the drawback taken off. By adding therefore 5 cents to the prices of exports from 1821 to 1833, the average price per lb. based on the valuation by the Secretary may be ascertained.

Imports, Exports, and Value of Coffee.

Statement showing the imports, exports, and value of Coffee into and from the United States, with the quantity left for consumption or exportation, for each year from 1821 to 1839, ending September 30, and the average price.

Years.	Imports. lbs.	Value. dolls.	Price of imports.	Consumption or exportation.	Value of exports.	Average price of exports.	Left for consumption or exportation.
1821	21,273,659	4,489,970	21 1-10	9,387,596	2,087,479	22 1-4	11,886,063
1822	25,782,390	5,552,649	21 5-10	7,267,119	1,653,607	22 3-4	18,515,271
1823	37,337,732	7,098,119	19 1-10	20,900,687	4,262,699	20 4-10	16,437,045
1824	39,224,251	5,437,029	13 1-10	19,427,227	2,923,079	15	19,797,024
1825	45,190,630	5,250,828	11 6-10	24,512,568	3,254,936	13 1-4	20,678,062
1826	37,319,497	4,159,558	11 5-10	11,584,713	1,449,022	12 1-2	25,734,784
1827	50,051,986	4,464,391	8 9-10	21,697,789	2,324,784	10 3-4	28,354,197
1828	55,194,697	5,192,338	9 5-10	16,037,964	1,497,097	9 1-3	39,156,733
1829	51,133,538	4,588,585	9	18,083,843	1,536,565	9 1-2	33,049,695
1830	51,488,248	4,227,021	8 2-10	13,124,561	1,046,542	8	38,363,687
1831	81,757,386	6,317,666	7 7-10	6,056,629	521,527	8 6-10	75,700,757
1832	91,722,329	9,099,464	10	55,251,158	6,583,344	11 9-10	36,471,171
1833*	99,955,020	10,567,299	10 6-10	24,897,114	3,041,689	12 1-4	75,057,906
1834	80,153,366	8,762,657	10 9-10	35,806,861	4,288,720	12	44,346,505
1835	103,199,577	10,715,466	10 4-10	11,446,775	1,333,777	11 2-3	91,752,802
1836	93,790,507	9,653,053	10 3-10	16,143,207	1,985,176	12 1-4	77,647,300
1837	88,140,403	8,657,760	9 8-10	12,096,332	1,322,254	10 1-10	76,044,071
1838	88,139,720	7,640,217	8 6-10	5,267,087	502,287	9 4-10	82,871,633
1839	106,696,992	9,744,103	9 1-10	6,824,475	737,418	10 3-4	99,872,517
1840	94,996,095	8,546,222	9	8,698,334	930,398	10 6-10	86,297,761

* Imported in 1833.				Exports.			
Previous to 4th March	....lbs.	33,326,120....	\$3,570,248	Specific duties.....	lbs	10,200,962....	\$1,235,106
After do do	.....	66,628,900....	6,997,051	Free of duty .....		14,696,152....	1,806,583
		lbs. 99,955,020....	\$10,567,299			lbs. 24,897,114	\$3,041,689

REMARKS.		lbs.
The Importations from 1826 to 1832 both in-		
clusive, were .....		418,667,681
Do from 1834 to 1840 .....		655,116,660
Being an increase of .....		
in the 7 years succeeding 1833, over those prior to that year.		236,448,979
The Exportations from 1826 to 1832 were 141,836,657		
Do 1834 to 1840.....		96,283,071
Being a decrease of .....		
in the 7 years succeeding 1833, as compared with the 7		45,553,586
preceding it.		
The consumption from 1826 to 1832 was..276,831,024		
Do 1834 to 1840.....		558,833,589
Being an increase of .....		
in the consumption of the last 7 years over the former.		282,002,565
The average price of the importations from 1826 to 1832,		
was 9 3-10 cents per lb.; and from 1834 to 1840, was 97-10,		
being a difference of 4-10 of a cent per lb. against the lat-		
ter 7 years.		
The average price of exportations from 1826 to 1832,		
was 10 5-10 cents, and from 1834 to 1840, was 11 5-10,		
being 1 cent per lb. against the latter 7 years.		
It would appear from these statements, that since 1833,		
the amount of coffee imported, has increased 56 47-100 per		
cent., while that exported has diminished 32 12-100 per		
cent. That the amount consumed has increased 101 40-100		
per cent. That the cost of the article in the places of growth		
has advanced, as has also the price in the United States.		
The great increase of consumption therefore would seem,		
to have been induced by some other cause than the removal		
of the duties, probably the increase of population; and per-		
haps the facilities of transportation enabling it to reach the		



consumer in the interior at a diminished expense, while the demand has sustained the price in the market.

The increase of population between 1830 and 1840 has been about 32 9-10 per cent.

The amount consumed from 1826 to 1832 would furnish to each individual in the United States according to the census of 1830, 3 7-10 lb., per annum; and the quantity consumed from 1834 to 1840, according to the population of 1840, would allow to each individual 4 7-10 lbs., being an increase in the latter period of 1 lb. to each, per annum.

This is independently, in both cases of the consumption of 1833, which year has been excluded from all the preceding calculations.

Owing to the high prices of Tea, it is probable the consumption of Coffee will be further extended during the present year.

We have already noticed the discovery of tin ore in New Hampshire—the following description of the mineral, and its locality, &c. is extracted from Dr. Jackson's first Geological Report of New Hampshire.

Tin Ore of Jackson.

On the estate of Mr. Eastman, of Jackson, I discovered a large mass of tin ore which was blasted out while obtaining specimens of the arsenical pyrites which occur on that estate.

The ore consists of the massive, crystallized and granular oxide of tin, and is associated with the arsenical iron, but is not mixed with it. Having reduced a few of the crystals to metallic tin while in the town of Jackson, I subsequently made a minute chemical analysis, and several assays of the ore in mass, and obtained, after pulverizing and washing, from 30 to 50 per cent. of tin.

By assay in a brasqued crucible, I obtained from 57 grs. of the washed and roasted ore 22 grains of pure metallic tin, which would be equal to 37 per cent. of tin in the ore.

By washing the pulverized ore I found that on an average, 53 per cent. remained, which was composed of fragments and grains of oxide of tin. The pure crystallized oxide of tin, according to Beudant, consists of

Tin,	76.67
Oxygen,	21.33
	100.0

In order to make a comparison between the crystals of oxide of tin from Jackson, and those from other localities, I requested Mr. J. E. Teschemacher, who was very familiar with all the Cornish varieties, to take some of ours and to measure them by the Reflecting Goniometer. He politely acceded to my wishes, and presents the following observations.

Boston Dec. 4, 1840.

Dear Sir:—

Below you will find a drawing, \* much enlarged, of the form of most of the crystals in the specimens of tin ore discovered by you in New Hampshire, which I have examined. The planes are not sufficiently free from striæ to permit the use of the Reflecting Goniometer in ascertaining the angles; the measurements are therefore those of Phillips, of the accuracy of which I entertain no doubt. The form is that of a macle of the square prism, with a pyramidal summit, arising from modifications of an obtuse octahedron with a square base, the primary form of tin oxide, the only remains of this primary. The figure represents a macle of only two crystals; the originals are composed of several united in the same way. This is, I believe, the most common of the crystalline forms in the tin deposits of other countries, and appears to me a

reason for supposing the deposit in New Hampshire to be large, which I should have doubted had the crystalline forms been those of rare occurrence elsewhere. I return the best crystals I could select from the specimens you were so kind as to give me.

Your's sincerely,  
J. E. TESCHEMACHER.

Dr. C. T. Jackson, Boston.

From the foregoing remarks it will appear that we have satisfactorily proved the existence of an ore of tin in New Hampshire, and I believe that, although some minute grains have been seen on the garnet rock of Haddam, in Connecticut, that this may be considered the first proper tin ore that has yet been found in which there was a notable proportion of tin.

This should stimulate to renewed search for other veins of this valuable ore which I doubt not will be found in workable quantities in some parts of the State when more eyes are made familiar with the appearance of an ore which has not the least semblance to a metal, and hence has probably been heretofore overlooked by those not conversant with minerals.

Thus far the small tin vein of Jackson must be looked upon only as a valuable guide, for it does not contain an adequate quantity of the ore for supplying a furnace.

By exploring the arsenic veins more tin ore may yet be found, and the arsenic ore will re-pay the expense or labor of extracting it, since it will sell for \$40 per ton in chemical works, where it is used for the manufacture of arseniate of potash.

The arsenic ore of Jackson is found on the estate of Mr. Eastman, and is a vein varying from 1 to 8 inches in width, and is of unknown but great length.

This ore, on chemical analysis, yields 60 per cent. of arsenic, 38 per cent. of iron, and a small proportion of sulphur.

On distillation, it gives up more than half its arsenic, the remainder being combined with the iron so as not to volatilize. I obtained readily by distilling the ore in an earthen retort, 35 per cent. of brilliant crystals of pure metallic arsenic, and some octahedral crystals of sulphuret of arsenic in the states of orpiment and realgar, those sulphurets crystallizing farther down the neck of the retort, they being more volatile than metallic arsenic.

The arsenic ore is very heavy, and occupies so little bulk in proportion to its weight, that it may be transported to market at a sufficiently low rate.

It will prove valuable as an ore from which pure metallic arsenic may be obtained for use in the arts, especially in the manufacture of shot, arsenic being always mixed with the lead to make it granulate when poured through the sieves in the shot towers.

Business increase in Boston.

By the Boston Directory for 1841, just published by Stimpson, it appears there has been an addition of 1923 business names since the publication of 1840. This is nearly double the increase between 1839 and 1840. The increase since 1831 has been 7435, or 60½ per cent. The whole number of names in the Directory of 1831 was 12,295, and the whole number of 1841, is 19,730.

The increase from 1831 to 1832 was.....	3¼	per cent.
" 1832 to 1833 "	1½	"
" 1833 to 1834 "	6½	"
" 1834 to 1835 "	6½	"
" 1835 to 1836 "	1¾	"
" 1836 to 1837 "	5½	"
" 1837 to 1838 "	1½	"
" 1838 to 1839 "	5½	"
" 1839 to 1840 "	6¾	"
" 1840 to 1841 "	10¾	"

Warm Weather.

July 23 was the warmest day this season at Hartford, Connecticut. At 2 o'clock the thermometer was 98 degrees above zero.

\* This we are compelled to omit.—Ed.

## Finances of Kentucky.

FRANKFORT, KY. }  
June 26, 1841. }

Dear Sir:—I take pleasure in responding to your note of the 24th inst., in which you remark, "it is to be regretted that, notwithstanding the detailed and voluminous reports and documents spread upon the Legislative Journals—their wide dissemination, and the various publications that have been made on the subject of the indebtedness of the State, and of its ample means to meet its engagements—there yet exists, at home and abroad, misapprehensions and misconceptions of its actual fiscal condition;" and requesting me, in my official capacity, as Secretary of State and Secretary of the Commissioners of the Sinking Fund, to present you with a condensed statement of the fiscal condition of the State.

I regret that pressing engagements, at this moment, will not permit me to enter into the subject as fully as I feel disposed to do, from a conviction, that more widely disseminated the information asked for, the more highly will the securities of this State be appreciated and sought after by capitalists. The following synopsis, however, extracted from an article on this subject, signed "S," and published in "The Commonwealth" of the 23d of March last, and which, upon a careful comparison with the Legislative Documents, I find to be strictly accurate, will, it is hoped, be acceptable in response to your inquiries. I find, moreover, that it embraces all the documentary facts necessary to a full and impartial understanding of this subject, and in as condensed a shape as the subject will admit of, and I therefore feel the less hesitancy, under all the circumstances, in substituting them in place of a statement of my own.

### Finances of the State.

The bonds sold by the State for Internal Improvement purposes, are as follows, viz:

1,375,000	5 per cents.—annual interest,	\$ 69,250
1,765,500	6 " " "	105,930
600,000	6 " (six year bonds,)	36,000

Total, \$3,750,500      Total annual interest, \$111,180

If to this be added a temporary loan of \$40,000 from the Banks, the total liabilities of the State will be \$3,790,500, and the annual interest, inclusive of \$8,420 exchange on interest payable in the East, will be \$222,000. Those bonds, with the exception of the six year one hundred dollar bonds, are made redeemable at various periods from 1865 to 1872. They have been disposed of at an aggregate nett profit of \$54,878 over and above their par value, after deducting the expenses of negotiation, as follows:

To American Life Insurance and Trust Co....	\$1,250,000
To Prime, Ward & King.....	100,000
To War Department.....	165,000
To Northern Bank of Kentucky.....	335,000
To Bank of Kentucky.....	330,000
To Board of Education.....	937,500
To Individuals.....	33,000
To do six year bonds.....	600,000

\$3,750,500

The interest on those bonds has been heretofore paid exclusively from the income of the Sinking Fund, established for that purpose, and without any aid from taxation. The resources of this fund are—tax on the capital stock of the Banks; excess of dividends on two millions of stock owned by the State in the Banks, after paying the interest on the five per cent. scrip issued to those institutions and held by them for the original subscriptions; dividends on the bank stock purchased by the Commissioners of the Sinking Fund; revenue from the public works; profits of the State from the Penitentiary; profits of the Commonwealth's Bank, and the proceeds of the State stock in the Old Bank of Kentucky.

The income of this Fund, heretofore, has not only been sufficient to meet all demands upon it for interest on loans, but has left a large annual surplus for re-investment. Last year, however, the Commissioners report a deficiency of receipts to meet the expenditures of \$10,802. This, they report, "is attributable mainly to the failure of the Bank of

Kentucky to declare its usual dividend, the cause of which is well known to be in consequence of the fraud of the Schuylkill Bank of Philadelphia." The three dividends thus withheld, are estimated at \$157,788; and for the year 1840, at 105,192. The deficiency in the Sinking Fund for the next year, the Commissioners estimated would be \$110,207.

To meet this deficiency and preserve the faith and honor of the State inviolate, the Legislature, at their late session, passed an act raising the State tax from *ten cents* upon every one hundred dollars worth of property, to *fifteen cents*, with this proviso—"That the additional tax hereby authorized to be raised, shall, when paid into the Treasury be carried to the credit of the *Sinking Fund*, to be applied to the payment of the principal and interest of the debts now owing by the State of Kentucky for works of Internal Improvement."

The whole value of the taxable property in the State in 1840, as reported by the Second Auditor, was \$272,250,027. Under the former law, he estimates the nett amount of revenue collectable by sheriffs for the current fiscal year at \$245,354. Under the present law, therefore, the additional tax raised will be \$122,677—the whole of which is to go to the Sinking Fund—and it thus appears evident that ample provision has been made to meet the estimated deficiency of \$110,207 for the current year. So soon as the Bank of Kentucky resumes the payment of dividends, there will be an annual surplus of upwards of \$100,000 to be vested and re-invested in the purchase of our own bonds, or other undoubted securities, thus compounding this annuity at a rate of at least 6 per cent.

The whole amount of the *surplus revenue* of the United States received by the State of Kentucky, was \$1,433,737 58. Of this, \$850,000 was set apart as a permanent school fund, and invested in Internal Improvement Bonds. A portion of the dividends have been re-invested in the same manner, and the accumulated amount now is \$937,500. The residue of the surplus was subscribed and paid into the Bank of Kentucky, as a part of the fifth million in the capital stock of that Bank. The subscription of the State, at this time, amounts to \$700,000 in the fifth million, exclusive of the original subscription of one million. In addition to this, the State has acquired by purchase, through the Commissioners of the Sinking Fund, 2,399 shares, and the Board of Education 735 shares in the same Bank. The Commissioners of the Sinking Fund also hold 400 shares in the Northern Bank, and 175 shares in the Bank of Louisville. The whole number of shares of Bank Stock held by the State, by purchase, is 10,709, which at par value would be worth \$1,070,900. The State also holds of her own bonds \$937,500—making upwards of *two millions* in bonds and stocks as an offset against her comparatively light indebtedness.

Such is the fiscal condition of the State, as exhibited by the public records, and it is not hazarding too much to say, "that Kentucky, in conjunction with enterprising and public spirited individuals, has accomplished more than any other State in the Union in proportion to the amount of her State debt. What she has done has scarcely cost her an effort; what she may yet accomplish, will depend upon the extent to which she may put forth her latent energies, and call into more useful activity the elements of her ample resources and growing prosperity." Public sentiment and legislative action, however, would indicate her policy to be, not to embark in any new enterprise, at least until the works now in progress shall have been completed and their usefulness fully tested by experience.

The examinations already made by the Second Auditor, of the assessments of taxable property for the present year, show that the estimates made by that officer, of the amount which would be received by the Commissioners of the Sinking Fund under the act of the last session, will be fully realized.

I am, very respectfully,

Your obedient servant,

JAMES HARLAN,

Secretary of State and Secretary of the Commissioners of the Sinking Fund,

M. R. STEALEY, Esq.

# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

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## SPEECH ON THE REVENUE BILL.

The Revenue Bill having been read through in Committee of the Whole, and the first section being under consideration—

Mr. FILLMORE arose and said, in substance, that he would avail himself of that occasion to speak of the necessity and object of the bill. That what he had to say on the merits of the bill might as well be said at that time as any other. Indeed, the principal provisions of the bill were embraced in the first section. The other parts of it were merely intended to carry out in detail the principles there asserted, and prevent some frauds that were now practised upon the revenue; and he would explain those, if desired, when they came up for consideration.

In the first place, he continued, I desire to solicit the undivided attention of the members of this House to the facts and figures to which I feel it my duty to call their attention. I deem the subject under consideration of vast importance to the country, and one that demands the sober deliberation of every member of this committee. It is a business matter—of facts and details—and were I ever disposed to make a speech for “*Buncom*,” this is certainly not the time or the occasion which I should select for that object. The little that I have to say will be unadorned with the flowers of rhetoric, and confined directly to the subject under consideration, and addressed to those who hear me.

The first section of the bill declares in substance that a duty of 20 per cent. *ad valorem* shall be levied on all articles imported which are now free, or which bear a less duty than that proposed in the bill, except certain articles which are left at their present rates of duty, and certain other excepted articles which are to remain free. These duties are to be levied and collected in the manner now provided by law, with some slight modification as to teas. It will therefore be seen that the main object and scope of the bill is to raise revenue, and that its provisions are strictly within the terms of the *Compromise Act*.

The chief questions, therefore, that present themselves for our consideration are—

First. Will there be a deficit in the revenue for the current four years under the laws as they now stand, and if so, what additional amount will it be necessary to provide to meet the ordinary demands upon the Treasury?

Secondly. What is the best mode of supplying this deficit, and to what extent will the bill under consideration do it; and is it necessary or expedient now to act upon this subject?

I proceed, then, in the first place, to consider the probable amount of deficit for the four years of the present administration, and in doing this I shall take no notice of the loan of \$12,000,000 that has been authorized, but not yet made, to relieve the present urgent wants of the Treasury, because if it is made, it is intended to be repaid during the current four years, and it therefore adds nothing to our means for the whole time.

In judging for the future, we must draw instruction from the experience of the past; and as our object now is to ascertain, if practicable, the probable demands upon the Treasury for the four current years, we will see what they have been for the four past years during the preceding administration.

Before proceeding to this investigation, it is proper that I should here observe that, in the remarks which I may have

occasion to submit in reference to the past administration, no party allusions are intended. I shall speak of that administration freely as matter of history, without one opprobrious epithet or one unkind allusion. The People have passed upon it, and I am content with their verdict. It is also proper that I should say that, in stating amounts, I shall generally content myself with giving the round numbers, seldom going below thousands, as a multiplicity of figures in debate rather serves to confuse than enlighten. And I shall proceed slowly that every member who desires may have time to take down my statements, for I neither desire to deceive myself nor the members of this House; and if I have committed any error, either in fact or inference, no one will be more gratified than myself to have it corrected.

What then, have been the ordinary expenses of this government for the past four years? I have before me, House Document No. 31 of this session, which, at page 18, contains a table headed as follows:

“Statement of the appropriations and expenditures each year, from 1829 to 1840 inclusive, for the civil list, foreign intercourse, and miscellaneous objects, for the military establishment, pensions, fortifications, internal improvements, Indian department, and the naval establishment, exhibiting also the excess of appropriations over expenditure.”

At page 25, the total of expenditures for these objects in each year is given, and I desire to call the attention of the committee to them for the past four years. They are as follows:

In 1837	-	-	-	-	\$31,610,000
In 1838	-	-	-	-	31,544,000
In 1839	-	-	-	-	25,443,000
In 1840	-	-	-	-	22,389,000
Making a total in four years of					\$110,986,000
Average for each year					\$27,746,000

Thus showing, if the experience of the past is to be the guide for the future, that our annual expenditures for the current four years will be near twenty-eight millions of dollars.

The next inquiry is, what amount of revenue we may reasonably expect for the current four years under existing laws, assuming, as I do for this purpose, that the bill for the distribution among the States of the proceeds of the public lands will become a law. Our only source of revenue, it will be recollected, will then be from customs. We have no available debts due us worth mentioning, and no funds on hand worth taking into the account; but over and above the ordinary current expenses of the government, we owe several millions of Treasury notes, and there are large arrearages and unliquidated claims, which accrued under the past administration, many of which will doubtless have to be provided for during the present. Besides, liberal appropriations have been called for and made by this House during the present session for fortifications and for the Navy, and to put the country in a proper state of defence. But I pass by these for the present, and proceed at once to consider the probable amount of revenue that will come into the Treasury from customs under the laws as they now stand. In order to determine this, it must be borne in mind that the *Compromise Act* goes fully into effect on the first day of July next, and that, after that day, no article imported will pay a higher duty

than 20 per cent. *ad valorem*, and it must also be borne in mind that there is a long list of articles that pay a duty, and are, therefore, classed among dutiable articles; nevertheless, by existing laws the duty is less than 20 per cent.

But even if we should suppose that all goods imported that pay any duty paid one of 20 *per cent. ad valorem*, what would be the probable amount of revenue derived from this source? Here again we must recur to the past to judge for the future; and, in determining this, I think it more safe and just to rely upon the average amount of imports for a series of years than to attempt to select for any one year. In document No 2 of the House of Representatives for the present session, usually called the "*Finance Report*," at page 20, may be found a table giving the whole amount of imports from 1834 to 1840, inclusive, distinguishing between those "*free of duty*" and those "*paying duty*," and giving the average result for the whole seven years. The entire table reads as follows:

*Imports from 1834 to 1840.*

Years ending 30th Sept.	VALUE OF IMPORTS.		
	Free of duty.	Paying duty.	Total.
1834 .....	\$68,393,180	\$58,128,152	\$126,521,332
1835 .....	77,940,493	71,955,249	149,895,742
1836 .....	92,056,481	97,923,554	189,980,035
1837 .....	69,250,031	71,739,186	140,989,217
1838 .....	60,860,005	52,857,399	113,717,404
1839 .....	76,401,792	85,690,340	162,092,132
1840 .....	57,196,204	49,945,315	107,141,519
Ag. value ....	\$502,098,186	\$483,239,195	\$990,337,381
Av. of 7 years.	\$71,728,312	\$69,748,457	\$141,476,769

Treasury Department, Register's Office, June 2, 1841.  
T. L. SMITH, *Register*.

I am the more disposed to rely upon the *average* result of this statement because the seven years embrace some of the most prosperous and some of the most disastrous known to our commercial history in times of peace. It will be seen that the fluctuations in different years have been very great, ranging from \$107,000,000 to near \$190,000,000. But the average result shows that the whole amount of imports "paying duty" over and under 20 per cent. is only \$69,748,000, being a little less than \$70,000,000; and when all these duties are reduced to 20 *per cent.* as they will be on the first day of July next by the *Compromise Act*, then, even supposing all paid that duty, which all will not, the whole amount of gross revenue derived from this source would be \$13,959,000, or less than fourteen millions of dollars.

But even all this, limited and small as it is, is not available for the ordinary wants of the Treasury. That the Committee may see the amount of drawbacks, deductions, bounties, and expenses of collection, all of which ought to be taken into the account in determining the nett amount of revenue received into the Treasury, applicable to the ordinary expenditures of the Government, I beg leave to call their attention to a table, to be found in Document No. 31, of this House, of the present session, at page 29. This table reads as follows:

—

A statement exhibiting the amount of duties which accrued on merchandise imported; the deduction under the *Compromise Act* of the 2d March, 1833; the drawback paid on foreign merchandise exported; drawback on domestic refined sugar; on domestic distilled spirits from molasses exported; bounty on salted fish exported; allowances to vessels employed in the bank and cod fisheries; the expenses of collection, and the nett revenue which accrued annually from duties on merchandise from 1834 to 1839, inclusive.

STATEMENT.

Year ending December 31.	Gross amount of duties.	Deduction un- der the com- promise act.	Actual duties.	Duties re- funded.	DRAWBACK PAID.			Bounty on pickled fish exported.	Allowances to vessels employed in the fisheries.	Expenses of collection.	Nett duties on merchandise.
					On foreign merchandise exported.	On domestic refined sugar exported.	On domestic distill'd spits. exported.				
1834 .....	\$19,650,429 08	\$689,723 12	\$18,960,705 96	\$666,571 67	\$3,070,119 03	\$162,086 05	\$11,973 15	\$10,852 21	\$218,210 50	\$1,256,480 16	\$13,564,413 19
1835 .....	26,849,982 10	959,255 50	25,890,726 60	440,062 76	2,443,382 97	42,829 50	11,423 84	9,536 80	223,503 39	1,256,198 40	21,463,789 00
1836 .....	32,904,608 74	2,086,281 04	30,818,327 70	537,606 20	2,444,216 74	100,642 70	4,663 52	7,323 10	250,180 73	1,459,915 59	26,013,779 09
1837 .....	19,499,313 24	1,365,182 20	18,134,131 04	306,860 84	2,651,757 12	83,768 60	3,010 84	6,731 80	213,091 03	1,368,401 67	13,500,509 11
1838 .....	22,333,249 85	2,630,424 40	19,702,825 45	1,067,850 46	1,390,010 06	145,494 30	8,589 68	5,474 30	314,149 49	1,481,020 42	15,290,230 74
1839 .....	28,712,983 37	3,158,460 51	25,554,522 86	1,012,134 82	1,537,387 55	357,388 30	16,507 36	4,743 50	320,218 03	1,714,515 03	20,591,628 27
	\$149,950,566 38	\$10,889,326 77	\$139,061,239 61	\$4,031,086 75	\$13,536,873 47	\$892,209 45	\$56,108 39	\$44,661 71	\$1,539,353 18	\$8,536,531 27	\$110,424,355 40
Av. of 6 years...	\$24,991,761 00	\$1,814,887 79	\$23,176,873 27	\$671,847 79	\$2,256,145 58	\$148,701 58	\$9,361 40	\$7,443 62	\$256,558 86	\$1,422,755 21	\$18,404,059 23

T. L. SMITH, *Register*.  
  
TREASURY DEPARTMENT, Register's Office, July 10, 1841.

From this table it will be perceived that the average amount of "*actual duties*" for six years, from 1834 to 1839, inclusive, was .....\$23,176,000  
And the nett amount only..... 18,404,000

Making a difference of ..... \$4,772,000

If the same difference should exist after the first day of July next, then from these facts the matter would stand thus:  
Gross amount of duties .....\$13,950,000  
Deduct for drawbacks, expenses of collection,  
&c..... 4,772,000

And it leaves for nett amount of duties .... \$9,178,000

But I do not conceive this to be precisely the mode of coming at the difference between the *gross* and *nett* amount of duties as reduced under the Compromise Act. It is true that the "*expenses of collection*" will remain the same, as the officers employed in the custom-house are all salaried officers, whose compensation is not graduated at all by the amount of revenues collected. And at many ports where there are many officers, and where they are indispensably necessary—not to collect the revenue, but to prevent smuggling—the whole amount collected is not sufficient to pay the officers employed. The "*bounties on pickled fish exported*" and the "*allowances to vessels employed in the fisheries*" being in nowise dependent on the amount of revenue received from duties, will also remain the same, but we may reasonably suppose as the amount of duties falls off under the Compromise Act, the amount of "*duties refunded*" under the decisions of the courts, and the amount of "*drawbacks*" "*on foreign merchandise exported*," "*on domestic refined sugar exported*," and "*on domestic distilled spirits exported*" will also fall off in something like the same proportion. But this cannot be in reference to the *drawback* on refined sugar and distilled spirits without some further legislation, for the drawback on those articles was graduated by the high rate of duty imposed upon them prior to the Compromise Act; but by the operations of that act the duty has been constantly diminishing, while the drawback remains the same, so that it now operates by way of bounty on the manufacture of those articles, and as a consequence the manufacture has greatly increased, being, as appears from the table to which I have referred, more than double in 1839 what it was in 1838. But this bill is intended to remedy that evil, and to reduce the *drawback* to the amount of the *import duty*.

Trusting that the committee will pardon this digression, I return again to the question I was considering—what sum should be deducted from the gross amount of duties, estimated under the Compromise Act at near \$14,000,000, to ascertain the *nett* amount applicable to the ordinary expenses of the government? I had shown that the "*expenses of collection*" .....\$1,422,000  
"Bounty on pickled fish exported"..... 7,000  
Allowances to vessels employed in the fisheries. 256,000

Making in all.....\$1,685,000  
must remain the same. The remaining items are—

Duties refunded .....\$ 671,000  
Drawbacks on exports..... 2,256,000  
Drawbacks on refined sugar..... 148,000  
Drawbacks on distilled spirits ..... 9,000

Making a total of..... 3,084,000  
The annual average gross amount of duties at that time was.....23,000,000  
Under the Compromise Act it will be about ..... 14,000,000

A little less than two-thirds, but it will be near enough for my purpose to call it two-thirds. Then one-third of \$3,084,000 is \$1,028,000; which, deducted from \$3,084,000, leaves..... 2,056,000

Which, added to the above, makes.....\$3,741,000

Then according to this calculation, taking the law as it now stands, and judging of the future by the past, the account stands thus:

Probable annual expenditure.....\$27,697,000  
Gross amount of duties after July 1,  
1842 .....\$13,950,000  
Deduct for expenses of collection,  
drawbacks, &c..... 3,741,000

Making your nett revenue per annum ...\$10,209,000

And leaving an annual deficit of .....\$17,488,000

And this, too, independent of the public debt created by the past administration, and which ought to be paid off during the present.

The revenues will be more than this for the current year, as the avails of the public lands are to be paid into the Treasury until the first day of January next, and the reducing effect of the *Compromise Act*, of which I shall have occasion to speak more particularly hereafter, will not be so sensibly felt until the first day of January and the first day of July next.

But it may be asked if the amount of accruing revenues under existing laws are to be so small, and the expenditures of the past administration have been so great, how have they been enabled to meet the demands upon the Treasury?

This is a very natural and fair inquiry, and I therefore anticipate it, with the view of answering it. The truth is, that the past administration had certain resources and means, which are either exhausted or upon which we can no longer rely, or to which we do not desire to resort, from which it derived the means of making the expenditures to which I have alluded. And I desire to call the attention of the committee particularly to three particular and extraordinary sources of revenue which the past administration enjoyed, and upon which we can no longer depend.

The first is the amount of money in the Treasury on the 1st day of January, 1837, and the debts then due the government which have been collected and the money used, and the amount borrowed on Treasury notes and used up, which had a double effect, by increasing the means of the past administration, and throwing an undue burden upon the present. The amount of these means in round numbers was \$31,310,000; and that the committee may see a clear statement of them, I call their attention to House Doc. No. 2 of the present session, being the "*Finance Report*," at page 5, where they find the following statement on this subject: From the year 1816 to 1837, a period of

twenty-one years, the revenues constantly exceeded the expenditures. The average annual surplus during that time was \$11,464,226 87, (see tables 1 and 2,) making an aggregate excess of \$240,748,764 27. Within that time there was applied to the extinction of the national debt \$208,792,127 44, and there was, under the provisions of the act of the 23d of June, 1836, deposited with the States \$28,101,644 91, and there remained on the 1st of January, 1837, in the Treasury of the United States, including the fourth instalment due to the States, a surplus of.....\$17,109,473 26

There were also outstanding debts due and falling due to the Treasury, arising from other sources than those of the ordinary revenue, and which were paid between the 1st of January, 1837, and 4th of March, 1841, the amount of (see statement D). 9,124,747 00  
There were also issued within that period, and outstanding on the 4th of March, '41, Treasury notes to the amount of..... 5,648,512 40

Making the aggregate available means which were in the Treasury on the 1st of January, 1837, and which came into it prior



to the 4th of March, '41, over and above the current revenues.....	31,882,732 66
From which deduct the amount (less the trust funds) remaining in the Treasury on the 4th of March, 1841.....	572,718 46
And there appears an excess of expenditure over the current revenue of.....	\$31,310,014 20

Here, then, is an amount of more than \$31,000,000 received and expended by the past administration from sources where we have little or nothing to expect. They had in the Treasury, on the 1st of January, 1837, more than \$17,000,000, all of which has been expended; and they only left on the 4th of March last, as appears by the above statement, the small sum of 572,000, a sum comparatively too trifling to be worth mentioning.

But this is not all. We had then due us a large debt for the sale of our stock in the United States Bank, and of that they have collected and expended during the past administration more than 9,000,000; and the little balance, if any, that is due is too trifling to be taken into the account. This is also gone. But even this is not all; they borrowed more than 5,000,000 on Treasury notes, and have expended the money and left the debt to be paid by the present or some succeeding administration. We have nothing to expect from this source, unless we are willing to go on and increase this public debt. For one, I am not; I rather prefer to provide the means to pay it off. Here, then, are \$31,310,000 received by the past administration from sources from which we have nothing to expect; but in striking the balance between the two administrations, and estimating the means that ought to be provided for the present to put it on a par with the last, we ought to add this Treasury note debt to the above sum, which would make it \$36,958,000, for, although we have charged it to their means above, yet it is to take so much from our ordinary means if we pay it; and I trust we shall.

This, then, sir, is one item, and I now call the attention of the committee to another. I mean the avails of the public lands. As the bill that passed this House distributing them among the States has not been rejected by the Senate, I feel bound to assume, and so must this House, in estimating for the ways and means to carry on the government, that that bill will become a law, and will, after the 1st day of January next, restore the proceeds of these lands to the People of the several States, to whom they justly belong.— And, in passing, I may be permitted to say, sir, that I voted for that bill, not as a financial measure, but as a matter of right to the States, and as a great conservative measure, rendered necessary by the course of events to preserve this great and rich patrimony for the people to whom it belongs, and to prevent its being squandered and gambled away by trading politicians and reckless demagogues. It was so fast becoming a great corruption fund that it was necessary to restore it to its rightful owner, that it might be guarded from the corrupt temptations of avarice, and the still more baneful and dangerous influences of inordinate and time-serving ambition. I only regret that this could not have been done at a more auspicious moment for the public Treasury. But the object to be attained was, in my mind, far above any temporary inconvenience that might arise to the Treasury, and, therefore, I gave it a most cordial support.

During the four years of the past administration, there was paid into the Treasury from the avails of the public lands.....	\$20,226,000
At page 3, Document 2, the Secretary estimates the amount to be received from the public lands this year, from March 4th to January 1st, at.....	2,500,000

which, deducted from the receipts of the preceding four years, leaves ..... \$17,726,000 being almost \$18,000,000 more from this source than the present administration can calculate upon.

But this is not all. There is another source of revenue of vast importance, which was enjoyed by the past administration,

which is about to be cut off under the operation of the Compromise Act. In order that I may explain this fully, it is necessary that I should go something into detail as respects the provisions of that act. We all know that this act was passed on the 2d of March, 1833, being the final *compromise* between constitutional power on one side, and nullification on the other. I do not propose to speak of its merits, much less of the merits of the controversy out of which it grew; and I only intend now to speak of its provisions so far as they affect the revenue arising from duties.

With the view of reducing all duties to a maximum of 20 per cent. *ad valorem*, this act provided that, on the 1st day of January, 1834, one-tenth of the duties over 20 per cent. on all articles imported should be taken off, and on the 1st day of January, 1836, another tenth, and on the 1st day of January, 1838, another tenth, and on the 1st day of January, 1840, another tenth, and on the 1st day of January, 1842, three-tenths more, and on the 1st day of July, 1842, the remaining three-tenths should be deducted; so that after that day no article imported should bear a higher duty than 20 per cent. *ad valorem*. It will thus be perceived that, under the operations of this act, four-tenths of the duties above 20 per cent. have already been deducted, and that three-tenths more will be deducted on the 1st day of January next, and the remaining three-tenths on the 1st day of July next.

In order to determine how this affects the revenue, it is necessary to ascertain how much these deductions take off from the duties on imports. By a reference to the table to which I have already called the attention of the committee, in House document No. 31, at page 29, in the second column of that table, it will be seen what the deduction has been under this act from 1834 to 1839 inclusive. And, if I have not made a mistake in my calculation, it will be seen that the average amount for every tenth, in each year, is \$874,000. This, then, furnishes an easy rule by which to determine what was deducted during the past administration, and what will be deducted during the present, and the difference will be the amount which the past administration received and expended, from a source from which the present can receive nothing.

In 1837, 2-10ths were deducted, being twice \$874,000.....	\$1,748,000
In 1838, 3-10ths do do three times \$874,000.....	2,622,000
In 1839, 3-10ths do do three times \$874,000.....	2,622,000
In 1840, 4-10ths do do four times \$874,000.....	3,496,000

Making a total of deduction during the past administration of..... \$10,488,000

Now let us see the amount of deductions by the same process for the current four years:	
In 1841, 4-10ths will be deducted, being four times \$874,000.....	\$3,496,000
In 1842, 7-10ths for half a year, being seven times \$437,000.....	3,059,000
In 1842, 10-10ths from July to January, being ten times \$437,000.....	4,370,000
In 1843, 10-10ths for the whole year, being ten times \$874,000.....	8,740,000
In 1844, the same in all respects.....	8,740,000

Making a total of.....	\$28,405,000
From which take the amount during the past administration.....	10,488,000

And it leaves ..... \$17,917,000

The past administration having received that amount more than can be received from customs, as the law now stands, by the present.

Add to this the first sum above mentioned minus the debt they left their successors. . . . \$31,310,000

Brought forward .....	49,227,000
Amount which they received from the public lands more than can be received by the present, as I have stated.....	17,726,000
Making in all.....	\$66,953,000

All of which has been received and expended during the past administration; and that too from sources from which the present administration has nothing to expect. This is equal to \$16,738,000 for each year of that administration. In other words, had they come into power with no other means or resources than what the present administration has—assuming that the land bill becomes a law—they would have left the Treasury empty, and incurred a national debt of \$66,953,000.

Comment upon this state of things is unnecessary. It is clear that the administration cannot go on so. Something must be done to replenish an exhausted Treasury and to maintain the good faith of the government. I shall not assume to say what the amount of deficit in the Treasury will be, but the bare statement of the case shows that it must necessarily be very large. It calls loudly upon us for *retrenchment* and *reform*—not that retrenchment that is heard in strong professions before election and is never heard of afterwards, but for thorough practical retrenchment, by which every unnecessary office shall be abolished, and every salary that is too high cut down, and a system of rigid economy and accountability in the expenditures of the public money adopted.

I hope my friend from Virginia (Mr. Gilmer) will, by the investigations of his Select Committee, show us how much money may be saved. But all this is a work of time. Investigations must first be had, and then laws passed, before any of these retrenchments can be realized. In the meantime our expenses are accruing, and we have no means of meeting them. We must look these things in the face. We must meet this crisis as best we can. No matter by whom the governmental machine has been permitted to get out of repair and run down, it is now in our charge, and we are bound to repair it, and set it in motion. On us, whether friends or foes to the present administration, rests this responsibility, and we cannot absolve ourselves from it. Our country's honor is involved, and I have no apprehensions that my constituents will not cheerfully and promptly meet any additional demands which it may be necessary to make upon their means to supply the wants of this government when it is economically administered; and when they think it is not, they will turn out the unfaithful stewards and put more trust-worthy ones in their places. But they will pay the honest creditor of the government, even though the steward may have proved unworthy of his trust. And I claim no more patriotism or magnanimity for my constituents in this matter than I am willing to grant to those of every other member upon this floor.

But, before I pass from this subject, I beg leave to say, that, in making up our minds as to the amount of additional revenue that may be wanted to meet the probable demands upon the Treasury for the four current years, while we flatter ourselves with the retrenchments we may effect, not only in the few expenditures to which I have alluded, but possibly by putting an end to that most inglorious, unfortunate, and ruinous of all wars—I mean that with the Florida Indians—yet it must also be borne in mind that we have to provide for the debt incurred during the last four years, and that the practice has been for several years past to stave off all private claims without much regard to their merit, many of which are doubtless just and should be paid, and that several of the States, particularly Maine, Georgia, Alabama and Louisiana, have large claims accruing under the past administration, which, if just and legal, must be paid, independent of the nameless and numberless unliquidated claims growing out of the Florida war and the removal of the Indians, many of which are doubtless just and must be paid. I barely mention these among the numerous demands that may be made upon the Treasury of an extraordinary character during the

current four years to show that we cannot estimate the probable amount.

But the next question is. How is this deficit to be supplied, whether you call it \$16,000,000 or \$18,000,000 per year, more or less? It is clear there must be a large deficit that must be supplied from some source, and I know of but three modes in which it can be done. 1st. You may borrow. 2d. You may lay a direct tax upon the property of the country. Or, 3d. You may lay a duty upon goods now imported free, and upon those bearing a less duty than 20 per cent.—equal to 20 per cent.—and in that way supply the wants of the Treasury to the extent of those means.

I shall enter into no argument to show that we ought not to depend on borrowing to supply the ordinary wants of the Treasury. We have tried that, more or less, for the last four years, and have finally funded the debt with a view of paying it off during the current four years. A public debt is justly odious to the people of this country, and I am unwilling to see it increased except from absolute necessity.

The next mode is by a direct tax. The gentleman from South Carolina, (Mr. Rhett,) and my colleague from New York (Mr. McKeon,) spoke in favor of this mode of supplying the Treasury a day or two since; but I apprehend there are very few members on this floor who would advocate that doctrine.

[Here Mr. McKeon rose to explain, but as Mr. F.'s hour was nearly exhausted, he declined yielding the floor.]

I shall be happy to hear that I have mistaken my colleague. Let those who prefer direct taxation to indirect by customs, look at England, where they both prevail, and see the picture of inquisitorial intrusion and official insolence and violence to which their excise system naturally leads, and I think he will prefer duties to excise or direct taxation.

The only remaining mode is by duties as proposed in this bill; and this brings me to speak directly upon the merits of the measure itself. I beg leave to call the attention of the committee to the views entertained by the present Secretary of the Treasury on this subject. They will be found in Document No. 2 of this House, usually called the "*Finance Report*," at page 6, where, after speaking of the embarrassments of the Treasury and the public debt already accrued, and the constant increase of both, he says:

"But as it may not comport with the views of Congress to go into a revision and adjustment of the customs so long before the act of March 2, 1833, comes to have its final and permanent operation, the undersigned would respectfully recommend, as a *temporary measure*, the levy of a duty of 20 per cent. ad valorem on all articles which are now free of duty, or which pay a less duty than 20 per cent. except gold and silver, and the articles specifically enumerated in the 5th section of the act of March 2, 1833.

"If this measure be adopted, it is estimated that there will be received into the Treasury from customs, in the last quarter of the present year, about \$5,300,000; in all of the year 1842, about \$22,500,000; and in the year 1843, after the final reduction under the act of March 2, 1833, about \$20,800,000. The details of the estimate will be found in the accompanying paper, marked E, and enclosures."

These are the views of the present Secretary, Mr. Ewing, and the Committee of Ways and Means have, in the main, concurred in them, and the bill under consideration is intended to carry them out. But the members of this House, on a measure of so much importance, may desire to know what were the views of the late Secretary of the Treasury on this subject.

I am happy to have it in my power to gratify them in this respect. Mr. Woodbury, the late Secretary of the Treasury, made a report to the Senate on this subject, dated January 18, 1841, which is No. 93 of Senate Documents, 2d session of the 26th Congress, and to which I invite the special attention of every member of this Committee that he may see how well these two Secretaries agree on this subject. Indeed, I cannot well see how they could disagree, for both knew the exhausted state of the Treasury, and no rational man could doubt as to the mode of replenishing it. The

only chance of difference among statesmen and financiers must be as to the particular articles that should be selected from the free list on which to impose duties. Mr. Woodbury gives what he calls a list of all free articles, and then says a duty of 15 per cent. on them would raise the required amount, but thinks it objectionable, and finally says, at page 6—

“Another mode of raising the same amount of revenue would therefore be preferable, if it could be accomplished without including those articles. Suppose, then, that there should be selected from the free articles those which may be regarded most as luxuries, though not in every respect belonging exclusively to that class: such are tea, coffee, and silks: should we then add to them others, conflicting with similar American productions, such as worsteds, linens, &c. and the aggregate deducting the amount re-exported would be \$29,026,448. [See the second table B.] A duty of 20 per cent. on those, after paying the expenses of collection, would yield about the same amount of five millions. This seems to contain the general data for the most eligible and unexceptionable revision.”

I will now read you this table “B,” (which may be found at page 10 of that report,) containing the articles on which he recommends the duty of 20 per cent. to be levied. It is in words and figures as follows:

B.

Selection of certain free articles consumed in 1838.

Silk and manufactures of	-	-	\$7,897,343
Silk and worsted	-	-	1,520,154
Worsted stuffs	-	-	3,878,941
Linens, bleached, &c.	-	-	3,098,557
Ticklenburgs, &c.	-	-	333,024
Sheetings	-	-	148,554
Bolting cloths	-	-	26,528
Wool under 8 cents per lb.	-	-	438,669
Crude saltpetre	-	-	119,606
Animals (not for breed)	-	-	150,219
Furs, (undressed)	-	-	300,045
Coffee	-	-	7,138,010
Tea	-	-	2,559,246
Copper, in pigs	-	-	812,170
Sheeting	-	-	526,792
Old	-	-	78,590
			\$29,026,448

Thus you have the plan of the late Secretary of the Treasury, Mr. Woodbury, for the revision of the tariff, in order to supply the deficiency in the Treasury, which he has styled *the most eligible and unexceptionable revision.*”

[Here the hour having expired, Mr. F. was cut short in his remarks, but at the request of several gentlemen he has added what he had intended to say.]

I now call the attention of the Committee to so much of tables Nos. 1, 2, 3 and 4, in House Document No. 31 of this session, as is necessary to show the articles upon which the proposed bill will operate, and the probable amount of duties to be raised thereby. The tables explain themselves, and are arranged in this manner, because, as I am informed, this is the mode in which the accounts are kept at the Treasury. The *first* table gives those articles now free that usually pay an *ad valorem* duty. The *second*, those now free that usually pay a specific duty, with the estimate of a specific duty equal to the *ad valorem* duty.—The *third*, those wines that now pay a specific duty, with the increased revenue that would arise from an *ad valorem* duty of 20 per cent. and a specific duty per gallon equal to such *ad valorem* duty. And the *fourth* gives a list of those articles that now pay a less duty than 20 per cent. *ad valorem*, which, under this bill, will be raised to that amount. These tables have been prepared at the Treasury Department by order of the Committee of Ways and Means, and are presumed to be correct, and so much of them as is necessary to illustrate this subject I here give:

No. 1.

A statement exhibiting the value of certain articles imported in 1840, free of duty, and the amount of duty which would accrue on a like importation, at the *ad valorem* rate herein specified, and which, under the proposed bill, will pay a duty of twenty per cent.

Species of merchandise.	Foreign cost and charges.	Duties estimated at 20 per cent.
Silks, lace veils, shawls, shades, &c. ....	\$309,858	\$61,971 60
Silks, other manufactures of..	7,979,100	1,595,820 00
Silk and worsted goods .....	1,729,792	345,958 40
Camlets of goats' hair, as cashmeres .....	7,240	1,448 00
Worsted stuff goods.....	2,387,338	477,467 60
Linens, bleach'd & unbleach'd	4,179,120	835,824 00
Ticklenburgs, osnaburgs and burlaps .....	329,054	65,810 80
Sheetings, brown and white..	261,173	52,234 60
Bolting cloths .....	74,534	14,906 80
Wool, not exceeding 8 c. p. lb.	675,009	135,001 80
Animals, not for breed.....	145,511	29,102 20
All other articles .....	5,849,116	1,169,823 20
		23,926,845 4,785,369 00

Treasury Department, Register's Office, July 8, 1841.  
T. L. SMITH, Register.

No. 2.

A statement exhibiting the quantity and value of certain articles imported during the year 1840 free of duty, and the amount of duty which would accrue on similar importations at the rate herein specified; all of which are dutiable under the proposed bill.

Articles.	IMPORTED.		Duties estimated at 20 per cent.
	Quantity.	Value.	
Teas.....lbs.	19,981,476	\$5,417,589	\$1,083,517 80
Coffee .....	94,996,095	8,546,222	1,709,244 40
Cocoa .....	2,626,369	161,389	32,277 80
Almonds.....	2,930,089	199,863	39,972 60
Currants .....	589,765	56,651	11,330 20
Prunes.....	1,652,819	74,593	14,918 60
Figs.....	2,023,073	102,333	20,466 60
Raisins.....	18,544,047	971,449	194,289 80
Mace .....	9,575	7,576	1,515 20
Nutmegs.....	142,890	122,603	24,520 60
Cinnamon.....	22,167	15,314	3,062 80
Cloves.....	268,951	47,568	9,513 60
Pepper.....	5,049,129	189,928	37,985 60
Pimento .....	2,264,942	121,543	24,308 60
Cassia .....	647,012	49,023	9,804 60
Ginger.....	59,909	5,384	1,076 80
Camphor.....	164,841	62,556	12,511 20
		16,151,584	\$3,230,316 80

Treasury Department, Register's Office, July 2, 1841.  
T. L. SMITH, Register.

Supplementary Statement.

Articles.	Average cost per pound.	Sp'cific duty equal to an ad val. duty of 20 per cent.	Articles.	Average cost per pound.	Sp'cific duty equal to an ad val. duty of 20 per cent.
Teas.....	27.11 cts.	5.42 cts.	Nutmegs.....	85.80 cts.	17.16 cts.
Coffee.....	9.	1.80	Cinnamon.....	69.08	13.80
Cocoa.....	6.14	1.23	Cloves.....	17.68	3.53
Almonds.....	6.48	1.36	Pepper.....	3.76	.75
Currants.....	9.60	1.92	Pimento.....	5.36	1.07
Prunes.....	4.51	.90	Cassia.....	7.57	1.51
Figs.....	5.05	1.01	Ginger.....	8.98	1.79
Raisins.....	5.23	1.05	Camphor.....	37.94	7.59
Mace.....	79.12	15.82			

TREASURY DEPARTMENT, *Register's Office*, July 2, 1841.

T. L. SMITH, *Register*.

No. 3.—Statement exhibiting the quantity and value of wines imported during the year ending 30th September, 1840, the amount of duty which accrued on the same at the rates now payable, and the amount of duty which would accrue on similar importations at the ad valorem rate herein specified, all of which will be dutiable under the proposed bill.

Wines.	Gallons.	Foreign cost.	Duties per act of 1836.	Duty estimated at 20 per cent.
Madeira.....	186,176	\$351,438	\$23,272 00	\$70,287 60
Sherry.....	136,848	139,002	17,106 00	27,800 40
Sicily.....	320,461	116,129	24,034 57	23,225 80
Red of France, in casks.....	2,065,953	439,791	30,989 29	87,959 80
Other of France, in casks.....	447,424	114,094	11,185 60	22,818 80
French, in bottles, &c.....	380,047	499,923	29,902 58	99,984 60
Red, of Spain and Austria.....	217,719	37,422	5,442 97	7,484 40
Other of Spain, Austria, &c.....	831,241	245,438	31,172 03	49,087 60
Of other countries, in casks.....	407,780	229,262	30,583 50	45,852 40
Of other countries in bottles.....	18,470	36,669	1,385 25	7,333 80
Total.....	5,012,119	\$2,209,176	\$196,073 79	\$441,835 20

Specific duties on wines imported in 1840.

Wines.	Average cost per gallon.	Rate of duty per act of 1836.	Specific duty, equal to an ad val. duty of 20 per ct.
Madeira.....	\$1 88	12½ cts.	37.75
Sherry.....	1 01	12½	20.31
Sicily.....	0 36	7½	7.24
Red, of France, in casks.....	0 21	1½	4.25
Other of France in casks.....	0 25	2½	5.10
French, in bottles and cases.....	1 31	5½	26.31
Red, of Spain and Austria.....	0 17	2½	3.43
Other of Spain, Austria, Germany and Mediterranean...	0 29	3¾	5.90
Of other countries in casks.....	0 56	7½	11.24
Of other countries, in bottles, &c.....	1 93	7½	39.70

TREASURY DEPARTMENT, *Register's Office*, June 22, 1841.

T. L. SMITH, *Register*.

No. 4.—A statement exhibiting the value of articles subject to a duty of less than 20 per cent. ad valorem, imported in 1840, which, under the proposed bill, will pay a duty of 20 per cent.

Articles.	Foreign cost and charges.	Present duty.	Duties at present rates.	Duties at 20 per cent.	Difference of duty.
Blankets of wool, not exceeding 75 cts. each	\$239,757	5 pr. ct.	\$11,987 85	\$47,951 40	\$35,963 55
Matting, of flags or other material.....	76,724	5	3,836 20	15,344 80	11,508 60
Silvered or plated wire.....	3,087	5	154 35	617 40	463 05
Silks, from India, China.....	963,666	10	96,366 60	192,733 20	96,366 60
Saddlery, common tinned and japanned....	83,910	10	8,391 00	16,782 00	8,391 00
Wire, square, used for umbrella stretchers..	2,848	12	341 76	569 60	227 84
Lace of thread or cotton.....	468,425	12½	58,553 13	93,685 00	35,131 87
Sail duck.....	615,723	15	92,358 45	123,144 60	30,786 15
Lead, manufactures of.....	901	15	135 15	180 20	45 05
Hair cloth and hair-seating.....	59,555	15	8,933 25	11,911 00	2,977 75
Copper bottoms for stills, &c. cut round, &c.	8,809	15	1,231 35	1,761 80	530 45
Copper, braziers'.....	....	15	....	....	....
Quills, prepared.....	21,417	15	3,212 55	4,283 40	1,070 85
Raw silk.....	234,235	12½	29,279 38	46,847 00	17,567 62
Articles not enumerated, at 10 per cent.....	1,181	10	118 10	236 20	118 10
Do do 12½ do....	231,460	12½	28,932 50	46,292 00	17,359 50
Do do 15 do....	974,321	15	146,148 15	194,864 20	48,716 05
	\$3,986,019		\$189,979 77	\$797,203 80	\$307,224 03

Thus we see by these tables that, according to the importations of 1840, we shall raise annually on the articles mentioned in the first table, in round numbers . . . . \$1,785,000  
 On those in No. 2. . . . . 3,230,000  
 And an additional duty on those in No. 3, of 245,000  
 And an additional duty on those in No. 4, of 307,000

Making a total of gross duties of . . . . . \$8,567,000  
 To which add the above nett revenue . . . . . 10,209,000

And it makes a total of . . . . . \$18,776,000  
 Being about \$9,000,000 less than the annual average expenditures for the last four years.

But the Secretary estimates the nett revenue under this bill, after 1842, at \$20,890,000. His estimate may be found in House Document No. 2, of this session, at page 20, and is as follows :

Estimate of the amount which will be received from customs in the last quarter of the year 1841, and in each of the two succeeding years, under the proposed modification of the revenue laws.

The average value of the imports for the last six years, in round numbers, is . . . . . \$144,000,000

The average value of exports for the same period, allowing 15 per cent. advance for expenses and profits on transportation, has been . . . . . 137,000,000

The average annual value of the imports for a series of years to come is, upon these data, estimated at . . . . . 140,000,000

The articles proposed to be admitted free of duty are estimated at . . . . . \$14,300,000

Which makes the average estimated amount of dutiable articles . . . . . 125,700,000

Which at 20 per cent. would yield an annual gross revenue of . . . . . 25,140,000

Estimated deduction for drawback . . . . . 3,000,000

Estimated deduction for collection . . . . . 1,250,000

4,250,000

Nett revenue at 20 per cent. 20,890,000

The difference is mainly caused by his estimating upon the *average* amount of importations for the last seven years, which, it will be perceived by reference to the same page of that document, is \$141,476,000; whereas these tables are based upon the importations of 1840, in which year the whole amount of imports was only \$107,141,000, being near 25 per cent. less than the average amount. But it is doubtful whether the Secretary has allowed enough for drawbacks and expenses of collection. It is less, by more than \$400,000, than the average amount which has been paid for the last six years. Probably the fairest estimate, from all the information before us, is this :

Gross amount of duties on dutiable articles, at 20 per cent. under the Compromise Act. \$13,950,000

Gross amount by this act, as estimated in the four tables . . . \$8,567,000

Add to that one quarter, or 25 per cent. . . . . 2,142,000

10,709,000

And it makes a total of . . . 21,659,000

From which deduct average annual drawbacks and expenditures, &c. for last six years . . . . . 4,672,000

And it leaves a nett annual revenue of . 19,987,000

Being nearly \$8,000,000 less than the annual average expenditures for the last four years.

I cannot now enter into the reasons for or against the selected articles for the imposition of duties. Though all would agree in the propriety of some discrimination, no two would perhaps think alike as to every article. No uniform rule can be established on this subject. Every case must stand or fall upon its own merits; and what might be very proper at one time might be equally improper at another. I doubt not some will be for including many articles which are exempt, and others will be for exempting many articles that are included. The committee were not unanimous on these subjects, and it cannot be expected the House will be. I anticipate a motion to exempt tea and coffee, and I will say one word on that subject. Tea and coffee are hardly necessities; they rather belong to the class of luxuries. So Mr. Woodbury considered them, and therefore recommended them for taxation. We can hardly justify ourselves in taxing the necessary food and clothing of the poor man, both of which are indispensable to sustain life, and still exempt tea and coffee. Let us also consider that the duties on these articles, by the proposed bill, is so light that those who luxuriate over a good cup of tea or coffee will never know it.—It will be seen, by table No. 2, that a duty of twenty per cent. on tea is less, on an average, than five and a half cents per pound; whereas, by the act of 1816, the duty ranged from twelve to sixty-eight cents per pound. And on coffee it is less than two cents per pound; but, by the act of 1816, it was five cents. These are duties that will never be felt by the consumer. Were he not told of it, he would never know it. Again: if you exempt those articles, you cannot raise means enough to carry on the government. They will be quite inadequate, I fear, with them in; and by subtracting them you take away near three million dollars, and all most one-third of the whole amount proposed to be raised. In Great Britain, where about \$100,000,000 is annually raised from duties, more than one-half of this enormous sum is raised on three articles—tea, sugar, and tobacco—neither of which is produced in Great Britain. It appears, also, that we consume more than five times as much coffee, per head, as the inhabitants of that country. But I have not time to dwell upon it.

I have a few words to say as to the form of the bill.—Contrary to our tariff laws heretofore passed, it names the articles excepted from duty instead of those on which the duty is imposed. This would be impossible when specific duties are imposed, and can only be done when the duties are *ad valorem*. It is done in this case to prevent fraud.—Experience has shown that where you name the articles on which duties are laid, there is a constant effort on the part of the foreign manufacturer to invent some new article and give it a new name, that can be imported free, and which may come in as a substitute for the dutiable article. This bill takes away all temptation to commit that fraud, for the article, unless excepted in the free list, must pay a duty.

I have one word to say as to the necessity of immediate action. If we do not act now, but postpone this indispensable revenue measure until the next session, and then mingle it up with the tariff, it is not at all probable it will become a law until a year from this time. A whole year will thus be lost, which is of vast importance where the fruits of a measure are so slow in coming to maturity, and the demand is so pressing. Nothing can be realized under this act after it takes effect short of three months, and half of it not short of six; and on teas, one of the most important articles, a year's credit may be given. I deem it, therefore, indispensable, unless we would disgrace the country and the administration, that this act should be passed at this session, that an exhausted treasury may derive some benefit from it next winter and spring, and not suffer it to be postponed a year longer.

I beg leave to say, in conclusion, that I hope this revenue measure will not be mingled up with questions of protection, home valuations, and cash duties. I hope all those important but perplexing questions will be postponed to the next session, when we shall have more time and more information, and may be in a better situation to dispose of them properly for the interest of all concerned.—[*National Intelligencer*.



[Continued from page 63.]

Iron Ores.

Iron holds the first rank among the useful metals, and is essential to civilized man, for most of the arts are dependent upon it for the supply of instruments which are absolutely necessary for their prosecution.

Civilized man alone makes use of iron, and to that metal he in a great degree owes his superiority over the savage. Science and skill in the arts, and a fixed abode, are essential to its manufacture, and therefore it never has been reduced from its ores by any but civilized people.

Its magnetic properties guided the skilful navigator across the ocean, and enabled European civilization to extend itself to this continent. Arms manufactured from it enabled the first settlers to withstand the inroads of barbarians, while the more peaceful implements, the axe and the plough, constructed also of this metal, enabled the colonists to subdue the forest and to cultivate the soil.

Steel is but a modification of iron, prepared by the introduction of a small proportion of carbon of charcoal. Cast iron is a coarser combination of iron with carbon, often accompanied also by some impurities, such as the bases of silex, alumina, and occasionally a little phosphorus or sulphur.

Wrought or bar iron is nearly free from these impurities, and is in a great measure deprived of its carbon by the processes of manufacture.

The ores of iron which can be profitably manufactured are the oxides of the metal.

Those usually employed are the magnetic iron ore, consisting of a combination of the prot-oxide of iron with the per-oxide, in the proportions of

Prot-oxide of iron,

Per-oxide of iron,

31 2 containing oxygen = 38.215

69 5 Iron 71.784

The ores of this class are black, give a black powder when pulverized, which is strongly attracted by the magnet.

Its specific gravity varies from 4.74 to 5.09, according to its purity and compactness.

It occurs crystallized in the form of the primary octahedron, and in its secondary form the rhombic dodecahedron: also in laminæ, and in grains more or less rounded, and in compact masses.

The superficial portions of a vein of magnetic iron ore always possess strong polarity, in directions coinciding with the magnetic meridian of the place. This kind of iron is very abundant in New Hampshire, and in many places may be economically wrought for iron.

The Franconia Works make use of the granular magnetic iron ore exclusively, and a very tough and excellent iron is made from it.

The average product of cast iron is 60 per cent. on the

ore smelted, but the pure ore contains 69.04 per cent. of iron, as will be seen by the following analysis:

100 grains of the granular magnetic iron ore of Lisbon iron mine contain

Prot and per-oxide of iron,.....

Silica, .....

Titanic acid,.....

96.20

2.30

1.50

100.00

96.20 per cent. of the above oxides contain 69.04 per cent. of metallic iron.

Capt. Putnam, the agent of the Franconia Iron Works, kindly furnished me with all the statistical information which was desired.

The New Hampshire Iron Manufacturing Company was incorporated in June, 1805, when a forge was erected and bar iron was made.

In 1811 a blast furnace was erected, which has been kept in operation since that time, and produces from 250 to 500 tons of excellent cast iron per annum. This is partly sold in the form of castings, and a part is converted into bar iron in the forges.

From 100 to 140 tons of bar iron are made per annum.

The furnace is kept in blast from 16 to 26 weeks at a time.

The stack of the furnace was built of granite, and it is lined with mica slate, which is found in the vicinity.

The hearth-stones are made of Landaff quartz rock.

From two to three hundred thousand bushels of charcoal are consumed per annum.

Hard wood coal costs ....

Spruce.....

\$4 00 per 100 bushels.

2 50 do

Limestone used for flux costs \$1 per ton.

The charge for the furnace, when in full blast, consists of

15 bushels of charcoal,

5 boxes (56 lbs. each) iron ore.

1 box of limestone = 12 1/2 per cent.

Average product, 2 1/2 tons of pig iron and castings per diem.

At the commencement of the blast 1 1/2 tons only are produced.

The ore delivered at the works costs \$6 per ton, viz :

Mining,.....

Hauling to bank,.....

Breaking,.....

\$5 00 per ton.

50 do

50 do

10 miners are employed at \$15 per month by the contractor.

Price of pig iron, 2 cts. per lb., castings, 5 cents per lb., bar iron, 5 1/2 cents per lb.

The following statistical account of a blast was handed to me by the agent :

Dr.	Blast Furnace, Winter, Spring and Summer of 1838.	Cr.
1838. To 109,709 Bushels Coal,		1838. By 729,749 lbs. Pig and Scrap, at 2 c..14,594 98
July 1. " 21,940 added for wasted and dirt,		July 6. " 182,728 lbs. Castings, at 4 c ..... 7,309 12
	131,649 Bushels Coal at 4 1/2 c. ....\$5,924 20	
	" 690..17..1..21 lbs. Ore, at 6 50.. 4,490 67	
	" 77..17..0.. 0 lbs. Limestone, at	
	1 25..... 97 31	
	" 8 Loads Clay, at 1 00 ..... 8 00	
	" Labor and Board of Hands,..... 2,297 97	
	" Blacksmith's Bill, ..... 85 48	
	" Moulding Sand for Blast, ..... 40 00	
	" Use of Flasks and Patterns,..... 25 00	
	" Repairing Flasks and Patterns, .. 30 00	
	" Hearth Drawing and Laying same 100 00	
	" Agency and Clerks, ..... 500 00	
	" 26..10..0..0 lbs. Shot Iron, at \$20 530 00	
	Nett, ..... 7,775 47	
	\$21,904 10	\$21,904 10

The ore yields 55.12 per cent. of iron.  
 About 160 bushels of coal are required to smelt a ton of the ore.  
 The blast continued 24 weeks.  
 The per-oxide of iron presents itself in several forms, and abounds in New Hampshire. When finely pulverized, this kind of ore gives a red powder, like iron rust, but when crystallized it is often resplendent like a polished metal; hence the name of a crystallized variety, specular iron ore comes from its mirror-like brilliancy. Among the important localities of this kind of ore, I would mention that of Piermont, which has been described in another part of the Report.

The ore is the micaceous specular oxide of iron.  
 Specimens of this ore were analyzed in my laboratory, under my directions, and the following results were obtained.  
 A specimen of the purest ore yielded in one hundred grains,

Per-oxide of iron	93.5
Titanic acid	3.8
Silica	2.7
	100.0

From which it will appear that the ore contains 64.8 per cent. of pure metallic iron.  
 An average specimen of the ore yielded in 100 grains,

Per-oxide of iron	75.0
Titanic acid	3.8
Silica (quartz)	18.2
	100.0

It contains 54.07 per cent. of metallic iron.  
 It is evident from what has been heretofore stated as to the extent of the Piermont ore, and from the above analysis, that profitable iron works may be established at that place.  
 The iron ore of Bartlett which occurs on Baldface Mountain, near the line of Jackson, has been described in a former section.

I shall here state its composition, and call public attention to its value. The ore consists of a mixture, the per-oxide and the prot-oxide of iron, the former largely predominating so as to give to the pulverized ore a deep red color. It is but slightly magnetic, owing to the larger proportion of the per-oxide.

This ore is also mixed with a minute proportion of oxide of manganese, which will have a favorable influence in the conversion of the iron into steel, for the oxide of manganese, giving out a portion of its oxygen, tends to reduce the proportion of carbon which enters into the composition of cast iron, so as to bring the iron into the condition of steel. The celebrated Swedish chemist, Berzelius, is of opinion that manganese exerts a very favorable influence in this manner, and from observation, it is well known that such is the result.

The Bartlett iron ore was analyzed by me four years ago, and it was proposed then to erect a blast furnace for the manufacture of iron, but embarrassments in the commerce of the country prevented any investment of capital in the business at that time. I would now again call public attention to the immense veins of iron ore which exist in that town, for I am satisfied that few localities in New England can compete with that locality in the abundance of the ore and cheapness of fuel.

The ore contains from 48 to 50 per cent. of pure iron, on the average, as ascertained by several analyses, and from 1 to 5 per cent. of manganese.

100 grains of the ore were analyzed in my laboratory, by Mr. Williams who obtained,

Per-oxide of iron	69.4
Quartz and felspar	25.2
Oxide of manganese	2.7

69.4 of per-oxide contains 48.117 per cent. of metallic iron.

Another specimen yielded,	
Felspar and quartz	21.40
Alumina	0.15
Manganese	1.20
Per-oxide and prot-oxide of iron by difference	77.25
	100.00

or 53 per cent. of metallic iron.  
 We may therefore calculate upon at least 48 per cent. of cast iron as the result of the smelting operations of a blast furnace.

### Swarms of Insects.

From the top of a tree in Washington Square, near the gate at the corner of Walnut and Sixth streets, just at twilight, they have been seen more distinctly than in any other quarter. Sometimes what appears to be a cloud of smoke will rise up from its summit. It is often of a spiral form, becoming almost invisible as it ascends, and then by concentration it will be dense and black. Sometimes the cloud is emitted from the tree top, as if from a chimney, and then it seems to rise out from the different branches below. It ascends, sometimes in faint lines, and then again it becomes condensed, being wafted about like vapor or smoke. But instead of being either of these, it is composed of insects in myriads, minute and almost invisible alone. From whence they came, how they originated, or the cause which generates them is the problem which we wish somebody would solve. Every evening they attract crowds of observers, yet no one can explain or account for their origin. An alarm of fire the other night was caused by their swarming in such clouds from the eave of a dwelling house. Some persons predict an epidemic, as these aerial animalculæ are supposed to be the products of vegetable or animal matter which the heat has decomposed. As yet the city is free from any unusual sickness, and the summer promises to be a healthy one in Philadelphia.—*North American.*

### Quick Travelling.

The Cleaveland Herald states that a gentleman left that city at five o'clock on the evening of the 7th ult. and reached New Haven (Conn.) on the 10th, having travelled the distance, nearly 800 miles, in 66 hours, including 4 hours stoppage on the route. The following is the time table for the route :

Cleaveland to Buffalo,	15½ hours.
Buffalo to Rochester,	9 "
Rochester to Syracuse,	10 "
Syracuse to Albany,	12 "
Albany to New York,	11 "
New York to New Haven,	5 "
	62½

### MOBILE.

Comparative statement of Cotton, middle of July.

Years.	Receipts.	Exports.	Stocks.
1832	125,263	126,062	02
1833	128,856	128,765	130
1834	148,380	146,692	1,827
1835	195,920	195,800	1,532
1836	236,590	233,752	3,326
1837	231,179	222,874	8,369
1838	307,893	300,578	5,963
1839	252,133	246,039	6,173
1840	441,449	380,887	62,026
1841	313,940	310,109	6,928

### Vessels entering Providence, R. I.

The vessels entered at the port of Providence during the year 1840, were 425; of which 66 were from foreign ports. The vessels cleared during the same time amounted to 266; of which 87 were for foreign ports. The number arrived and not entered was 2,825.

### New York Fifty Years Ago.

The Hon. Philip Hone, a distinguished merchant of New York, in a recent lecture before the Mercantile Library Association, remarked :—

"It is amusing to look back upon the state of the trade of New York, and the modes of conducting business within a brief period of less than fifty years, and contrast them with the present condition of things. I have no ambition to claim your respect or reverence as a sage of antiquity. On the contrary, I fear I may have given you occasion this evening to remark that I am young enough to learn a great deal; but my connexion with business commenced so early in life, that I can describe these matters with tolerable accuracy.—I was a lad in the retail dry goods store (shop we called it then) of my brother, in William street. Goods were imported principally from London. The ships (only two or three in number) made two voyages a year; and when they arrived, and the packages were opened in the warehouses of Messrs. Waddington, Rowlett & Corp, or Douglass & Shaw, notice was sent to the shopkeepers, who went down to Pearl street, and each selecting the articles he wanted, the whole importation was bought up; and a bill of five hundred dollars would have brought down upon the purchaser the jealousy of his neighbors, and occasioned serious alarm to the importer.

It is a fact difficult to realize, that at the time I am speaking of, French dry goods were unknown in New York. I distinctly recollect the first package of French kid gloves, and for several years after the peace, English lustrings were the only silks in use. The ladies will find it difficult to imagine such a state of destitution, and may, perhaps, thank their stars that they were not born in so dark an age, when the possession of a silk gown was a luxury that few arrived at, and its advent in the family an event of sufficient importance to be chronicled with the birth of a child, or the setting out of a husband on a voyage to Albany.

Those were the days of frugality and carefulness: and as we are now in a gossiping humor, I will relate an anecdote to prove it. A relation of mine, a merchant in the Dutch trade, who had then been a resident of New York fifteen or twenty years, had in his possession a silk umbrella of uncommon large proportions, which attracted the notice of a friend in company, who said to him in jest, "I should not be surprised to hear that you had brought out that umbrella with you from Holland." "You have guessed right," he replied; "I did bring it when I came to this country, and have had it in constant use ever since; but I sent it once during the time to Holland to be newly covered." Now this gentleman was liberal and charitable, but he took good care of his umbrella, and died worth a million of dollars.

In the days of which we have been speaking, there was but one bank in the city, the Bank of New York, in Pearl street, then Hanover Square, of which Mr. Wm. Seaton was Cashier, and Mr. Charles Wilkes was First Teller. Those were the blessed days of specie currency; and if you will indulge me, and laugh at me instead of frowning at me, I will describe how pleasantly it worked. The few notes which were given out by the merchants and shop keepers (and the sequel will show how few they must have been) were collected of course through the bank. Michael Boyle, the runner, (how delightfully do his jocund laugh and pleasant countenance mix up with the recollections of my earlier years!) called several days before the time, with a notice that the note would be due on such a day, and payment expected three days thereafter.

When the day arrived, the same person called again with a canvass bag, counted the money in half dollars, quarters, and sixpences, (those abominable disturbers of the people's peace, bank notes, were scarcely known in those days,) carried it to the bank, and then sallied out to another debtor; and so all the notes were collected in this great commercial city, and in such a circumscribed circle did its operations revolve. Well do I remember Michael Boyle, running around from Pearl street to Maiden lane, Broadway, and William street, (the business limits of which district, happily for him, did not extend north of the present Fulton street,) panting

under the load of a bag of silver, a sort of locomotive sub-treasurer, or the embodiment of a specie circular.

### Washington City Forty Years Ago.

The following letter, written by Mrs. Adams, wife of the elder President Adams, is copied from the collection of her letters recently published in Boston:

To Mrs. Smith.

Washington, Nov. 21, 1800.

My Dear Child: I arrived here on Sunday last, and without meeting with any accident worth noticing, except losing ourselves when we left Baltimore, and going eight or nine miles on the Frederick road, by which means we were obliged to go the other eight through woods, where we wandered two hours without finding a guide or the path. Fortunately, a straggling black came up with us, and we engaged him as a guide to extricate us out of our difficulty; but woods are all you see, from Baltimore until you reach *the city*, which is only so in name. Here and there is a small cot, without a glass window, interspread amongst the forests, through which you travel miles without seeing any human being. In the city there are buildings enough, if they were compact and finished, to accommodate Congress and those attached to it; but as they are, and scattered as they are, I see no great comfort for them.

The river, which runs up to Alexandria; is in full view of my window, and I see the vessels as they pass and repass. The house is upon a grand and superb scale, requiring about thirty servants to attend and keep the apartments in proper order, and perform the ordinary business of the house and stables—an establishment very well proportioned to the President's salary. The lighting the apartments, from the kitchen to parlors and chambers, is a tax indeed; and the fires we are obliged to keep to secure us from daily agues is another very cheering comfort. To assist us in this great castle, and render less attendance necessary, bells are wholly wanting, not one single one being hung through the whole house, and promises are all you can obtain. This is so great an inconvenience that I know not what to do. The ladies from Georgetown and in the city have many of them visited me. Yesterday I returned fifteen visits; but such a place as Georgetown appears—why, our Milton is beautiful. But no comparisons; if they will put me up some bells, and let me have wood enough to keep fires, I design to be pleased. I could content myself almost any where three months; but, surrounded with forests, can you believe that wood is not to be had, because the people cannot be found to cut and cart it? Bresler entered into a contract with a man to supply him with wood. A small part, three cords only, has he been able to get. Most of that was expended to dry the walls of the house before we came in, and yesterday the man told him it was impossible for him to procure it to be cut and carted. He has had recourse to coals; but we cannot get grates made and set. We have, indeed, come into a *new country*.

You must keep all this to yourself, and when asked how I like it, say that I write you the situation is beautiful, which is true. The house is made habitable, but there is not a single apartment finished, and all withinside, except the plastering, has been done since Bresler came. We have not the least fence yard, or other convenience, without, and the great unfinished audience room I make a drying-room of, to hang up clothes in. The principal stairs are not up, and will not be this winter. Six chambers are made comfortable; two are occupied by the President and Mr. Shaw; two lower rooms, one for a common parlor, and one for a levee room. Upstairs there is the oval room, which is designed for the drawing room, and has the crimson furniture in it. It is a handsome room now, but when completed it will be beautiful. If the twelve years in which this place has been considered the future Seat of Government had been improved, as they would have been in New England, very many of the present inconveniences would have been removed. It is a beautiful spot, capable of every improvement, and the more I view it the more I am delighted with it.

Since I sat down to write, I have been called down to a servant from Mount Vernon, with a billet from Major Custis, and a haunch of venison, and a kind, congratulatory letter from Mrs. Lewis upon my arrival in the city, with Mrs. Washington's love, inviting me to Mount Vernon, where, health permitting, I will go before I leave this place.

The Senate is much behind-hand. No Congress has yet been made. 'Tis said — is on his way, but travels with so many delicacies in his rear, that he cannot get on fast, lest some of them should suffer.

Thomas comes in and says a House is made; so to-morrow, though Saturday, the President will meet them.

Adieu, my dear. Give my love to your brother, and tell him he is ever present upon my mind.

Affectionately your mother.

A. ADAMS.

Cost of Ship-building at the Portsmouth Navy Yard.

A statement was made some time since in some of the newspapers, that the cost of building ships of war was greater at this yard than at any other in the country. This statement, so directly opposed to general belief, naturally excited attention and inquiry, and we were led a few weeks ago to show that it was grossly false and unjust, and even predicated as it was upon an erroneous comparison of the cost of building some of the "Ten Sloops."

Not satisfied with this, and being well assured that it would turn out upon investigation that the cost of construction at the Portsmouth Yard would prove in fact to be less than at most of the other Naval Stations, we have been at the pains to obtain from an official source the actual cost of constructing *five of the sloops of war* which were constructed under the last appropriation for this purpose, and which were all built within the last two years, and we here submit it for the inspection of those who feel interested in the Navy, and in the noble art of ship-building :

Statement of the cost of building and equipping the following vessels, EXCLUSIVE of Ordnance and Warrant Officers' stores.

Vessels.	Labor.		Materials &c.	Total.
	days.	cost.		
Preble,	23,531	\$32,963 94	\$61,232 15	\$94,196 09
Marion,	24,328	42,989 64	68,736 77	111,726 41
Decatur,	26,729	46,961 72	62,802 00	109,763 72
Dale,	15,737	28,674 21	63,450 26	92,124 47
Yorktown,	23,548	43,489 53	55,483 31	98,972 84

The Preble was built at Portsmouth, N. H.—the Marion at Boston—the Decatur at New York—the Dale at Philadelphia—and the Yorktown at Norfolk.

It will thus be seen that the cost of building the "Preble" at Portsmouth, was less than the cost of building the Marion at Boston by 17,530 dollars 32 cents; and less than the cost of building the Decatur at New York by 15,567 dollars 63 cents; and less than the cost of building the Yorktown at Norfolk by 4,776 dollars 75 cents; and that the only Navy Yard at which the cost of construction was less than at Portsmouth, was the Philadelphia Yard; and even here we are inclined to think there must be some mistake in the return from that yard, because the whole number of days work charged for building the sloop of war at that Yard is 15,737, being over 8,000 days less than were returned upon an average from the other Navy Yards for building the other four vessels.

There is another important fact to be gathered from these returns, which is the cheapness of labor at this Yard, when it is compared with all the rest. At Portsmouth, the average labor is \$1 40 per day, at Boston it is \$1 76½, at New York \$1 75½, at Philadelphia \$1 82, and at Norfolk \$1 84½. The materials also seem to have cost less here than at any other Navy Yard, except Norfolk, where the cost of Southern pine and live oak, and perhaps also of white oak, is of course much less than at the Navy Yards further North.

Portsmouth Journal.

The Last Soldier Gone!

Departed this life at Thompson, (Conn.) on the 12th ult., Mr. Ezekiel Blackmarr, in the 99th year of his age. He was the son of James Blackmarr, and born in Gloucester, R. I., in August, 1742. Seventy-nine years ago last May, he enlisted as a private in the troops raised in the British colonies to take the Island of Cuba, under the Earl of Albemarle, and Admiral Pecoek, in a regiment commanded by Colonel Israel Putnam. He was in Capt. John Spalding's company, of Plainfield; Lieut. Smith, and Ensign Pennel Hutchings, of Killingly. Gen. Lyman, of Springfield or Northampton, was Col. Putnam's superior officer. He was without doubt the last surviving soldier, at the taking of the Moro Castle, and the oldest in service on the Rolls of King George the Third. Queen Victoria ought to remember him, as the last soldier gone, of the old French war. He sustained through life the character of an honest upright citizen, and retained to the last, in a great degree, his bodily and mental powers.

Length of Days.

The Portland Advertiser mentions the following facts in connection with the retirement of Judge Davis:—The ages and length of judicial tenure, of the District Judges in New England, are worthy of remark. Judge Sewall, the first District Judge of Maine, held the office 29 years, and did not retire until he was 83 years old. Judge Howell, of Rhode Island, died in office at the age of 77, in 1824. Judge Sherburne, of New Hampshire, held the office a number of years, and died at a ripe age. Judge Paine, of Vermont, and Judge Davis, as we have seen, have been on the bench more than 40 years, and are past 80 years of age. It may also be added as a singular fact, that during the 52 years of the government, there have been in Massachusetts but two District Judges, viz: Lowell and Davis, and in Maine but three, Sewall, Parris and Ware, and only two clerks, viz: Henry Sewall, now living at Augusta at a very advanced age, who held the office 30 years; and Mr. Mussey, the present incumbent, who has held it 22 years.

A Roving Yankee.

Mr. Stephens, in his Incidents of Travel in Central America, describes as follows a native of New York, whom he found in his travels to Guatemala:

"Approaching the town, I remembered that Mr. Handy, who had travelled from the United States through Texas and Mexico with a caravan of wild animals, had told me of an American in his employ, who had left him at this place, to take charge of a cochineal plantation, and I was curious to see how he looked and flourished in such employment. I had forgotten his name, but inquiring on the road for an American del Norte, was directed to the nopal of which he had charge. It was one of the largest in the place, and contained four thousand plants. I rode up to a small building in the middle of the plantation, which looked like a summer-house, and was surrounded by workmen, one of whom announced me as a "Spaniard," as the Indians generally call foreigners. Dismounting and giving my mule to an Indian, I entered and found Don Henriques sitting at a table with an account book before him, settling accounts with the workmen. He was dressed in the cotton jacket of the country, and had a very long beard; but I should have recognized him anywhere as an American. I addressed him in English and he stared at me as if startled by a familiar sound, and answered in Spanish. By degrees he comprehended the matter. He was under 30, from Rhinebeck Landing on the Hudson river, where his father keeps a store, and his name was Henry Pawling—had been a clerk in New York and then in Mexico. Induced by a large offer and a strong disposition to ramble and see the country, he accepted a proposal from Mr. Handy. His business was to go on before the caravan, hire a place, give notice, and make preparations for the animals. In this capacity he had travelled all over Mexico, and from thence to Guatamala. It was seven years since he left home, and since parting with Mr. Handy he had not spoken a word of his own language; and as he spoke it now it was half Spanish. I need not say he was glad to see me."

STATEMENT

Of the number of Arrivals and Tonnage of Vessels at the Port of New York, from 1810 to 1840 inclusive.

Year.	No. of arrivals, foreign and coastwise.	Tonnage.
1810.....	2,341.....	274,943 $\frac{1}{4}$
1811.....	2,028.....	249,010 $\frac{1}{4}$
1812.....	1,795.....	194,301 $\frac{1}{2}$
1813.....	1,319.....	143,729 $\frac{1}{4}$
1814.....	788.....	48,631 $\frac{1}{2}$
1815.....	2,120.....	291,072 $\frac{1}{4}$
1816.....	2,224.....	331,076 $\frac{1}{4}$
1817.....	2,097.....	288,547 $\frac{1}{4}$
1818.....	2,273.....	297,196 $\frac{1}{2}$
1819.....	1,675.....	266,840
1820.....	1,947.....	256,951 $\frac{1}{4}$
1821.....	2,061.....	274,314 $\frac{1}{2}$
1822.....	2,242.....	319,940 $\frac{1}{2}$
1823.....	2,423.....	350,785
1824.....	2,612.....	372,576
1825.....	2,778.....	420,814 $\frac{3}{4}$
1826.....	2,964.....	402,446
1827.....	2,911.....	442,406 $\frac{1}{4}$
1828.....	2,656.....	412,937 $\frac{1}{4}$
1829.....	2,716.....	417,961 $\frac{1}{2}$
1830.....	1,986.....	405,307
1831.....	2,080.....	427,601 $\frac{1}{2}$
1832.....	2,292.....	492,310
1833.....	2,437.....	521,510
1834.....	2,427.....	535,497 $\frac{1}{4}$
1835.....	2,450.....	555,056
1836.....	2,719.....	647,322
1837.....	2,508.....	629,965
1838.....	1,962.....	559,483
1839.....	2,573.....	655,927 $\frac{1}{2}$
1840.....	2,479.....	618,186

In addition to these arrivals, which are from foreign and coastwise ports, there are about 1,050 schooners, sloops, &c., employed in coasting inland, not included in the above, averaging about 75 tons, making 78,750 tons. Those vessels are here probably every week during the season of navigation. Also, about 75 steamboats, which probably are here about every other day; tonnage, 30,760.

It will be seen that since 1828 the tonnage has increased about one-third in amount. In 1828 the tonnage of vessels arriving at this port was 412,937 $\frac{1}{4}$  tons; in 1840 the tonnage of vessels arriving was 618,186 tons.—[N. Y. Herald.

Statistics of Saratoga Springs.

Medicinal Springs of various qualities .....	18
No. of houses.....	426
Boarding houses.....	75
Rooms in the four largest houses .....	964
Extensive bathing establishments.....	4
No. of Inhabitants, about.....	2,500
Annual Visitors, about.....	35,000
Churches of different denominations.....	6
Academies and Female Seminaries .....	4
Stores.....	35
Newspapers, 2 weekly and 1 daily.....	3
Public Reading Rooms and Libraries .....	2
Library of the Court of Chancery, vols.....	4,100
Steamboat and Railroad fare from New York .....	\$2 62

[N. Y. Observer.

Warning to Whalers.

The *Journal du Havre* mentions the discovery near Okoroa, in New Zealand, of a dangerous rock, lying in the usual course of ships sailing for the whale fishery, and not marked on any chart. It lies 6 $\frac{1}{2}$  miles W. N. W.  $\frac{1}{2}$  N. from the Esperance Rock of Admiral Dumott d'Urville. It is not wider than a vessel, and is about four feet under water. Having been discovered by the Havre whaler, the name of that ship has been given to it.

Ancient Elm Tree.

Pittsfield, Mass. July 5.

Our lofty and beloved Elm Tree standing in the centre of the village was struck by lightning, during an intense thunder storm. The fluid struck the highest twigs of the Northern and Southern branches, and united at the main branch and took a perpendicular line to within a foot of the ground, stripping off ten inches width of bark the whole length. For two or three days past some of our noblest tars have been engaged in climbing to the uppermost limbs, by aid of ladders and ropes, in the hope of saving this venerable and notable patriarch. Our citizens, as you well know, feel a deep interest in the preservation of this noble tree. It is one of the grandest specimens of the forest to be found in this whole country—indeed a monument of nature's handiwork, attracting the notice and admiration of all. It has been immortalized in song, and is cherished and remembered by every native of the place present or absent. It was found standing in the forest when the first settler came to this town about 100 years since. It is situated in the centre of the public park, enclosed and surrounded by fence and ornamental trees and walks. It is nearly 150 feet high, perfectly straight, and without a limb for 90 feet. It measures in circumference 15 feet and a half. It is probably several centuries old. We have grieved much over its misfortune, and there are now probably 100 to 200 people in the park witnessing the efforts to preserve its good old life.—*Madisonian*.

New Orleans and Cuba Trade.

Exports of Flour, Lard and Cotton to Havana and Matanzas, from July 1, 1840 to June 30, 1841, on American and Spanish vessels.

1840.	American vessels.	Spanish vessels.	Barrels Flour.	Kegs Lard.	Barrels Lard.	Half bbls. Lard.	American vessels, bales Cotton.	Spanish vessels, bales Cotton.
July 1st ...	16 ..	..	3,926	6,201	90 ..	..	4,657	....
Do ...	..	2	....	....	..	..	....	958
August....	8 ..	..	1,012	4,348	2 ..	..	2,374	....
September .	7 ..	..	2,536	4,664	..	..	427	....
Do ..	..	2	90	....	..	..	....	806
October ...	12 ..	..	6,349	3,345	38	2	791	....
Do ...	..	2	300	....	8	..	....	201
November .	6 ..	..	1,850	5,105	..	..	1,310	....
Do ..	..	2	50	....	..	..	....	319
December .	17 ..	..	7,179	12,750	81	..	1,410	....
Do ..	..	3	200	500	26	9	....	1,155
1841.								
January ...	8 ..	..	2,124	7,310	84	..	425	....
Do ...	..	6	900	1,200	..	..	....	908
February ..	9 ..	..	2,253	7,100	173	..	244	....
Do ..	..	16	628	....	57	6	....	3,968
March ....	10 ..	..	3,080	8,111	618	..	388	....
Do ....	..	5	221	1,225	59	..	....	977
April .....	16 ..	..	6,270	6,777	790	224	....	....
Do .....	..	2	....	....	..	..	....	587
May .....	7 ..	..	1,680	1,492	485	15	295	....
Do .....	..	5	....	....	79	..	....	1,441
June .....	7 ..	..	2,129	6,696	636	290	818	....
Do .....	..	3	....	....	..	..	....	818
12 months.	123	18	42,789	77,154	3,266	516	13,239	12,141

Including six American vessels for Matanzas.

Including five Spanish vessels for do

Richard Vaux, Esq., has been appointed by the Governor of Pennsylvania, Recorder of the City of Philadelphia in the place of Samuel Rush resigned.



State of the Bank of Tennessee.

JULY 1, 1841.

Dr.

Discounted notes - - -	\$833,058 31	
Domestic bills - - -	220,638 56	
Bills and notes in suit - -	60,531 42	
Protested bills - - -	13,968 45	
		\$1,128,196 74
Expense account - - -	- - -	13,607 38
Interest on State bonds - -	160,750 00	
do Int. Improv'mt do - -	75,481 05	
		236,231 05
Due from banks - - -	- - -	436,158 23
Cash, viz :		
Notes of other banks - -	93,230 97	
Gold and silver - - -	130,270 22	
		223,501 19
		\$2,037,694 59

Cr.

Capital stock, viz :

State bonds - - -	440,000 00	
School fund - - -	56,113 60	
do. do. Ocoee - - -	254,902 26	
Surplus Revenue - - -	470,066 55	
		1,221,082 41
Sinking or contingent fund -	171,006 59	
Dividend account - - -	82,755 78	
Exchange account - - -	25,739 59	
Discounts received - - -	49,069 87	
Interest account - - -	32,382 12	
Damages - - -	2,233 25	
Internal Imp'nt dividend -	1,620 00	
Profit and loss - - -	56,163 36	
		420,961 59
Common School Fund - - -	- - -	11,635 94
Treasurer of Tennessee -	- - -	96,125 26
Due to Banks - - -	- - -	14,432 19
Circulation - - -	- - -	48,118 00
Individual depositors - - -	- - -	225,339 23
		\$2,037,694 59

JOS. W. HORTON, Cashier,

BANK OF TENNESSEE, }  
Nashville, July 1, 1841. }

The sum of \$100,000 was this day appropriated for Common Schools, and \$18,000 to county academies, agreeably to the 8th Section of the charter.

State Bank of Tenn. and Branches, July 1, 1841.

Dr.

Discounted notes - - -	2,906,046 57	
Domestic bills of exchange -	547,532 71	
Bills and notes in suit - -	281,575 82	
Protested bills - - -	27,471 99	
		3,762,627 09
Expense account - - -	- - -	21,900 09
Interest on State bonds - -	160,750 00	
do Int. Improv'mt do - -	75,481 05	
		236,231 05
Due from banks - - -	- - -	809,120 34
Real Estate at branches - -	- - -	70,229 31
State bonds at branches - -	- - -	26,000 00
Edw. W. Dale and securities -	- - -	36,300 17
Bank notes on hand, viz :		
Notes of other banks - -	138,961 89	
Gold and silver - - -	490,962 29	
		629,924 18
		\$5,592,633 23

Cr.

Capital stock, viz :

State Bonds - - -	- 1,000,000 00	
School fund - - -	- 131,356 32	
do do Ocoee - - -	- 586,767 65	
Surplus revenue - - -	- 1,353,209 55	
		3,071,333 52
Sinking or contingent fund -	171,006 59	
Dividend account - - -	82,755 78	
Exchange account - - -	40,385 54	
Discounts received - - -	88,571 54	
Interest account - - -	33,313 46	
Damages - - -	4,555 89	
Internal Improvement dividend	1,620 00	
Profit and loss account - -	135,778 84	
		557,987 64
Common School Fund - - -	- - -	11,635 94
Treasurer of Tennessee -	- - -	97,352 31
Due to Banks - - -	- - -	130,651 46
Circulation - - -	- - -	1,310,163 00
Individual depositors - - -	- - -	413,509 36
		\$5,592,633 23

JOS. W. HORTON, Cashier.

BANK OF TENNESSEE, }  
Nashville, July 1, 1841. }

[Nash. Rep.

Shad Fishery.

The shad fishermen have been very successful the present season. It is estimated that 3,000 barrels have been already taken in the Sound between Monomoy Point and Bass River. The shad fishery on our shores was commenced by a few individuals four years ago. Now between 2 and 300 men, principally from Connecticut, are engaged in it. The fish are taken with seines, of which two kinds are used; one made of great length and depth for the purpose of surrounding schools of shad where the water is from five to seven fathoms deep; and the other kind are fitted for meshing, the seine being trailed out from a boat or vessel and the shad in attempting to run through it are caught by their gills. The long "Purse Seines" require a crew of sixteen men to manage them, and are capable of holding an immense number of fish. Capt. David Baker, took at one haul two hundred barrels of shad, and Capt. Judah Baker, also enclosed as large a number, but a shark broke through the seine, and made a passage for the shad to escape. Present appearances indicate that the taking of shad on our coast, will soon become as important a branch of business as the cod and mackerel fishery. We are informed that they have, at a certain season of the year, always been abundant in the waters of the Sound, but until recently no means had been discovered for taking them in the open sea, in sufficiently large quantities to justify the expense of fitting out vessels on purpose to take them. It is believed that Shad, like Mackerel, in the Spring, proceed northward along the coast, and that the fishermen when they better understand their habits will be enabled to follow them as they now do the mackerel. They arrive in the Vineyard Sound the last of May, or beginning of June, and then as the weather advances proceed northward along the coast as far as Nova Scotia. But the fact that they are taken very nearly as early in the rivers of Maine as in the Sound, seems to favor the supposition that they are a deep water fish, and only visit the coast in the months of May and June to deposit their spawn.

None have been taken after June in former years, and it is calculated the fisheries in the Sound will be over in the course of next week.—Yarmouth Register.

A Venerable Band of Patriots.

A writer in the New York Express states that there are but but five officers of the regular Revolutionary army alive in that city, and adds that the ages of these advance *seriatim* from 85 to 89, viz:—Lieut. Abraham Legget, in his 85th; Major Leonard Blecker, in his 86th; Major General Morgan Lewis, in his 87th; Capt. Theodosius Fowler, in his 88th; and Major William Popham, in his 89th. They are all in good health.

The Mexican Commission.

The Board of Commissioners appointed under the Convention of the 11th of April, 1839, between the United States and Mexico, to adjust certain claims of citizens of the former against the latter, have been in session in this city about one year. The Board consists of four Commissioners, two on each side, their secretaries, and an umpire. A report from the American Commissioners, of the progress and condition of the commission, under date of the 26th of May last, addressed to the President, has been called out and published by order of the Senate. From this it appears that great differences of opinion have arisen between the two sides as to the powers and duties of the Board. The Mexican Commissioners, it seems, took their oaths before each other, and then swore their secretary, and a discussion on the validity of this oath occupied the Board for a week.—Then a discussion arose upon the rules of proceeding, which occupied the Board seven weeks—the Mexican Commissioners pretending that the two governments were the parties litigant, that no claimant should be allowed to come before them, and that no document would be received by them unless it came through the Department of State. The American Commissioners were compelled to yield, after long but vain opposition, to these unjust rules of proceeding.—Owing to the great delay occasioned by the difficulties raised by the Mexican Commissioners, it was not until the 28th day of December, 1840, that the first case came before the Board for a hearing on its merits. The denial of access to the claimants, and the circuitous method of obtaining proofs, and the whole course of the Mexicans, have embarrassed all the proceedings, and tended very much to bring the Convention to naught. One of the claimants, Mr. Santangelo, has published a pamphlet, in which the proceedings of the Convention are strongly objected to, and the conduct of the Mexican Commissioners particularly censured.

The following cases have been brought to a hearing, and awards made by the Board in favor of the claimants, since January last :

Peter Harmony	-	-	-	\$11,130
J. J. Astor & Son, New York	-	-	-	37,661
Boardman & Pope, Boston	-	-	-	37,661
Hetty Green, Key West	-	-	-	16,941
Samuel Chew, Philadelphia	-	-	-	18,291
Smith Thompson, New Haven	-	-	-	2,093
Theodore Dacoing	-	-	-	2,450
Francis R. Arnold, and others	-	-	-	54,082
Ratliffe Hicks, Rhode Island	-	-	-	15,452
Richard J. Arnold, do	-	-	-	7,726
J. Nicholson, administrator of A. L.				
Duncan	-	-	-	188,324
Louisa Livingston, executrix of E.				
Livingston	-	-	-	45,279
John K. West	-	-	-	43,652
W. H. Sims and wife	-	-	-	22,639
Total,				\$503,381

Eleven other cases have been discussed and sent to the umpire, with the arguments pro and con. as far back as May. Only one claim has been rejected, but a number have been laid aside or suspended—some because they are not among the class that lawfully comes before the Board, and others because additional documents and explanations are wanting. “A large number of cases,” it is judged, are yet to be submitted for examination ; so that there seems to be no immediate prospect of the sitting of the Board being brought to a conclusion.

The American Commissioners are, William L. Marcy and John Rowan ; the Mexican, Senores Joaquin Velasquez de Leon and Pedro Fernandez del Castillo.

[Madisonian.

Sickness in Kentucky.—The Frankfort Commonwealth says that the Dysentery prevails to a considerable extent in parts of Fayette, Woodford and Franklin counties, and has been marked by more than usual mortality.

University of North Carolina.

The University of North Carolina was incorporated on the 11th December, 1789—the first meeting of the Trustees was held at Fayetteville, 15th November, 1790—Chapel Hill was laid off and the corner stone of the East Building laid, 12th October, 1793. The Institution was opened for the reception of students, 13th February, 1795, and the first class graduated 4th July, 1798.

The following table exhibits the number of graduates, at each Commencement, since the establishment of the College, and the number of Matriculates, during each collegiate year, since the organization of the faculty, by the appointment of a President on the 11th July, 1804 :

Table.

Year.	Matriculates.	Graduates.	Year.	Matriculates.	Graduates.
1798	...	6	1820	127	25
1799	...	10	1821	146	30
1800	...	3	1822	165	28
1801	...	9	1823	173	27
1802	...	3	1824	157	34
1803	...	3	1825	122	39
1804	60	6	1826	112	19
1805	57	3	1827	76	32
1806	67	4	1828	85	11
1807	40	6	1829	81	14
1808	46	13	1830	83	14
1809	36	10	1831	107	15
1810	61	3	1832	104	23
1811	54	1	1833	109	13
1812	57	10	1834	101	13
1813	97	14	1835	104	15
1814	80	16	1836	89	19
1815	83	18	1837	142	9
1816	92	15	1838	164	19
1817	108	10	1839	160	13
1818	120	14	1840	171	31
1819	120	11	1841	....	43
					674

The whole number of Matriculates has been ascertained to be about 1750.

From a catalogue now in preparation of the alumni, we will be able to present many facts that cannot fail to make a deep impression on the public mind. For the present, we will content ourselves with the following general statements :

Of the 674 graduates, 70 have entered upon the Gospel Ministry. The Governor of this State, five of our ten Judges, the two Judges who vacated their offices during the last year, the late and present Attorney General, are sons of the University. The two Senators in Congress, the two Judges, the two Speakers of the Commons, the Public Treasurer, and three of the four Solicitors elected during the last session of the General Assembly, are Graduates of the Institution.

It is very remarkable, that while the average number of students, has, during the last eight years, been quite equal to 130, no death has occurred since September, 1833. We doubt whether as much can be said for the healthfulness of any of the Collegiate establishments throughout our country.

[Raleigh Register.

Steam Bridge.

A striking use of the steam engine has been adopted at Portsmouth ; it is a floating bridge, 70 feet long and 60 feet wide, impelled by 2 engines of 20 horse power, and making the passage (2,200 ft.) at the speed of about 350 feet a minute. The bridge draws, with all its machinery, but 2 feet. The capital invention will naturally supersede the awkward contrivances of bridges of boats on the great European rivers, and will, not improbably, obviate the formidable expense of building bridges, and most greatly facilitate communication in colonies and new settlements in every part of the world.

[St. Louis Argus.

Iron Trade of Newport and Cardiff, Wales.

We have received from a friend in England, a detailed statement of the Iron and Coal Trade from 1829 to 1839, inclusive, showing the quantity shipped by the different establishments; from which we make the following summary.

Iron sent down the Glamorganshire Canal.

	Tons.
1829.....	83,876
1830.....	81,548
1831.....	70,333
1832.....	83,677
1833.....	112,315
1834.....	110,012
1835.....	119,858
1836.....	123,088
1837.....	124,810
1838.....	130,637
1839.....	132,781
1840.....	132,002
	1,305,957

On the Monmouthshire Canal.

1829.....	119,082½
1830.....	115,755
1831.....	119,569¾
1832.....	124,705½
1833.....	125,433¾
1834.....	130,042¼
1835.....	155,588¾
1836.....	151,957¼
1837.....	143,213¾
1838.....	167,478¼
	1,352,826¾

Sent to Newport.

1839.....	175,211
1840.....	194,459
	369,670

Coal carried on the Glamorganshire Canal.

1829.....	83,729
1830.....	106,170
1831.....	117,134
1832.....	165,351
1833.....	184,261
1834.....	183,953
1835.....	176,374
1836.....	192,241
1837.....	226,671
1838.....	189,081
1839.....	211,214
1840.....	248,484

A CURIOSITY.

Charles Codman of this city, who is a curious collector of coins--and has a fine taste for rare specimens of the antique, has showed us a very uncommon coin struck off in this country in 1783. It is of copper, and bears on one side a head of Washington, with the words, "Washington and Independence," around it, and the date--1783--below it. On the other side are the words around the margin, "United States of America;" in the centre between the two olive branches "one cent" (one word above the other,) and at the bottom "1-100." We understand, although we have

not been able to find a record of the fact, that a quantity of these cents were struck off in 1783, but that as soon as the circumstance came to Washington's knowledge, with that modesty which was characteristic of him, and of all true greatness, he took immediate measures to have the impression changed by the removal of his own portrait, and those which had been issued, suppressed. A few, however, went into circulation, and are now eagerly sought, at a high price, by collectors of rare and curious specimens. We are told that Mr. Codman has been offered ten dollars for the one in his possession.—*Portland Adv.*

Appropriations for the Navy.

The following statement which we derive from a speech of Mr. King of Georgia, shows the amount of appropriations for the Navy in different years, and the number of guns afloat:

Year.	Appropriated.	Guns afloat.
1836	\$7,011,055	462
1837	8,185,710	554
1838	5,502,420	630
1839	5,264,385	596
1840	5,155,120	882
1841*	7,333,943	1007

In 1800, with a population of 5,305,000 and 669,000 tons of registered tonnage, we had 876 guns afloat; in 1841 our population is 17,000,000 our tonnage 2,960,000, and yet our guns are but 1,007. This shows how far our naval force is from keeping up with the growth of the population and the commerce of the country. Applying the same ratio of defence at this day which existed in 1800, we ought to have 2000 guns afloat.—*Newark Daily Adv.*

\* If all the bills now before Congress making appropriations for the Navy, become laws.

Cost of Transportation on Canals, Railroads, &c.

The inquiry is frequently made, what is the difference in the cost of transportation on canals and railroads? This question is answered by the following statement, made two years since, by Mr. Charles Ellet, Jr. Chief Engineer on the James River and Kanawha Canal and Railroad:

Cost of freight on canals, exclusive of tolls, 1½ cent per ton per mile.

Railroads, 2½ cents.

McAdam roads, 10 to 15 cents.

Common turnpikes, 15 to 20 cents.

Steamboats on the lakes, 2 to 4 cents per ton per mile.

Steamboats on the Ohio and Mississippi rivers, ½ to 1½ future average ¾ cent per ton per mile.

Correction.

By an oversight, an error escaped our notice in the caption of the 5th column of the table respecting Coffee, published in the last Number, page 62, which our readers are requested to correct--instead of "Consumption or exportation," read EXPORTS.

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EDITED BY SAMUEL HAZARD.

VOL. V. PHILADELPHIA, WEDNESDAY, AUGUST 11, 1841.

No. 6.

## Red River Raft.

It is well known that the removal of this raft has caused the expenditure of much money annually, and will require much more, before the work is completed. Very little information has been furnished to the public respecting the intent and formation of these obstructions, upon which Capt. Shreve has been operating for several years. We therefore deem the following report of Col. Long interesting. The removal of the raft is very important, as opening a communication with a very extensive and valuable portion of country.

*Marietta, June 1, 1841.*

Sir:—In obedience to your instructions of March 13, 1841, I have personally examined the several sites occupied by the former and present rafts of Red river, for the purpose of ascertaining the nature and extent of the work heretofore done, with a view to the improvement of the navigation of this important river, and of devising a plan of operations adapted to the further improvement still required in subser-viency to the same object; and I now have the honor to report the result of my observations and inquiries in reference to those subjects.

Preliminary to a discussion of these topics, however, I shall attempt a brief description of that part of the river and its valley in which the rafts have been formed; such a description being essential to a clear illustration of the nature and bearings of the subjects, and to a proper apprehension of their import.

Red river, in its course within the State of Arkansas, presents a single channel of an average width of about two hundred and fifty yards, and during the more elevated stages of the water has a depth sufficient for steam navigation, for many hundred miles, before it reaches the northern boundary of Louisiana. But, on entering the State last mentioned, it passes into the region or district in which the rafts had their origin and existence, and is divided into numerous small channels of very considerable depth, but generally, and almost uniformly, too narrow to admit the passage of floating trees, especially when their lengths are presented transversely of any channel or bayou through which the water has to pass.

The district constituting the region of the raft is situated entirely within the State of Louisiana. It embraces an extent from south-east to north-west, about 180 miles, and a width varying from five to twelve miles. The navigable channel through this district embraces a distance of about 500 miles. Numerous other channels, more or less devious, many of them navigable for steamboats in all stages of the water for considerable distances, are also included within this district as before intimated. The entire tract or valley now under consideration, abounds in bayous, lagoons and lakes, profusely distributed, and pervading its surface in every direction.

The flats or bottom lands comprised within the valley, are invariably composed of a rich and fertile alluvion, of a redish complexion and sandy consistency, and are, throughout, analogous in all respects to the alluvious formations still in progress in the same region, which are composed of a very fine sand, intermixed with ferruginous clay, the former predominating.

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The bayous are generally deep and narrow, their width seldom exceeding 150 or 200 feet. Their channels are generally bounded by abrupt sides, which are guarded against abrasions by imbedded timbers, and the roots of willows and other shrubbery. The lakes are generally broad and shoal, occupying the less elevated portions of the valley. Many of them are occasionally destitute of water in a dry season. The lakes are generally studded with a growth of cypress, and sometimes with willows, cotton wood, and oak, with other upland trees, which successively thrive and decay, according to the prevalence or recess of the water at the sites occupied by them. Hence the growth and supply, in part, of materials for the formation of rafts.

Various theories have been suggested by way of accounting for the changes that have occurred in the valley of Red river, and especially for the process by which alluvial deposits have been made, and rafts formed therein. But speculations of this nature, in so far as they relate to the origin and commencement of the difficulties in question, have very little claim upon our attention. In connexion with this subject, and in reference to delta formations generally, we would merely observe, that the more they are enlarged the greater will be the elevation of the surface of the stream by which they are made, at any given point within the formation. For example, when the delta formation at the mouth of the Mississippi terminated at New Orleans, the surface of that river, which was then as it is now, at its mouth, on a level with the surface water of the Gulf of Mexico, was lower at that point than it is at present, by about four feet, which is the difference now existing between the surface of the Mississippi at New Orleans, in a low stage of the river, and the surface of mean tide in the Gulf.

It may, moreover, be observed, that alluvial deposits or delta formations are carried at least to the elevation of the higher freshets that have given occasion to such formations. Hence, the flats or bottom lands in the valleys of streams, generally, are approximate indications of the highest freshets that have prevailed in such streams.

Moreover, when the alluvial lands in the valley of a river are more elevated above the low water table at one point than at another, as is strikingly the case in the valley of Red river, we may conclude with certainty, that there is a corresponding difference in the extreme range from low to high water.

The obstructions in Red river claiming our attention, are obviously attributable to causes like those that are still operative in working changes in the character and condition of this stream. Floating trees, and other drift, are brought down by every freshet. The channels through which it has a tendency to pass are, in some places too narrow to admit of its passage, and in others so thickly set with snags, planters, &c. that its progress downward is effectually interrupted by them. In either case the drift is arrested in its progress, and becomes stationary. A raft is thus commenced, and accumulates incessantly, so long as the drift continues to run. Every successive freshet contributes to its enlargement, by furnishing new supplies of floating materials; and in the course of a few years a raft many miles in extent is formed. The accumulations having been continued for a year or two, the materials first deposited become water-soaked and sink to the bottom of the channel, while those more recently brought down, successively follow the same example. The current of the stream, which began to be checked in its ve-

locity, as soon as the raft began to form, is at length effectually arrested, and the water must pass off in another direction through a new channel or bayou formed for its passage. The old channel below the raft being thus blocked up, becomes a lagoon of stagnant water, and serves as a receptacle for depositions from the turbid waters of the river. Every freshet brings down a fresh supply of alluvion, with which the old channel is eventually filled, and in process of time effectually obliterated. In this way old channels become obstructed and effaced, and new ones are formed; changes of this character have been in progress, till at length the river valley presents a profusion of bayous, lagoons, lakes, and swamps, scattered in every direction.

The more considerable bayous and lakes embraced by the river valley, within the district affected by rafts, are as follows: Commencing at the southern boundary of Arkansas, and proceeding downwards, we have in succession the following considerable outlets from the main river, communicating more or less directly with Caddo, or Soda lake, situated on the south-west or right side of the valley, viz: Red bayou, which is the uppermost of all the bayous within the district just mentioned; New bayou, Dooley's bayou, and Cheftel's bayou, besides several others of inferior size. The three bayous first mentioned are situated above the head of the raft; while that last mentioned, passes from the river at a point about midway of the new or present raft. The quantity of water conveyed from the main river by these bayous is probably about one-half of the entire volume of the river at the present stage of water. One of these outlets, viz: New bayou, has been formed during the existence of the present raft, which has, no doubt, contributed to its formation, and at the same time to an augmentation of the quantity of water conveyed off by the other bayous above-mentioned.

These are the only outlets that discharge their water into lake Caddo.

Ten miles below the raft is a copious outlet called the Willow-chute; and again, twelve miles further down, is another of equal size, called Benoist's bayou, both leading to the left of the river, and discharging their waters first into lake Bodeau, and then into lake Bistineau. These, and several smaller outlets, leading in the same direction, convey from the main channel about half the volume remaining in it, after the exhaustion occasioned by the bayous before mentioned. By reason of these reductions of its volume, the current in the navigable channel, for the distance of eighteen miles below Benoist's bayou, is rendered very sluggish, moving at a speed not exceeding one and a quarter miles per hour. The current being thus retarded, the mud held in suspension by the water is deposited upon the bottom and sides of the channel, which already begins to exhibit symptoms of being eventually choked with alluvious deposits.

At the point last indicated, viz. eighteen miles below Benoist's bayou, is a very considerable inlet, from lake Caddo, called Caddo, or Soda bayou; and six miles further down, at a point a little above the town of Shreveport, is another inlet far more copious, from Cross lake, called Cross lake bayou, both of which enter from the right of the valley, and restore to the main channel the tribute previously withdrawn by the bayous first mentioned, and conveyed to lake Caddo. The volume thus enlarged, and now comprising about three-fourths of the water of the entire river, passes downward in the immediate vicinity of Shreveport, which is built on a highland bluff connected with the river hills, by which the valley is bounded on its south-westerly side.

Since the formation of the present raft, by which the main navigable channel has been obstructed, a passage for keel-boats has been found, leading upward through Caddo bayou, Caddo lake, Clear lake, Black and Red bayous; at the head of which last, it again enters the main river, between twenty and thirty miles above the raft.

Three miles below Shreveport is one of the most copious outlets anywhere to be found in connexion with the main channel. This outlet is at the head of bayou Pierre, which conveys from the main river about two-thirds of its entire volume; a large portion of which is again restored to the main channel at Shreve's island and Cut-off, six miles below

the outlet. Bayou Pierre, which vies with the main channel in the copiousness of its stream, enters lake Wallace on the right of the river valley, and after passing through a series of lakes and bayous on that side of the valley, and occasionally washing the bases of the river hills on the same side, unites again with the main navigable channel, a little above Grand Ecore, Natchitoches, and about one hundred miles, by the course of the river, below the head of the bayou.

About midway of the distance last mentioned, or fifty miles below the head of bayou Pierre, is another considerable outlet, in the same direction, viz. to the right, called Pascagoula bayou, which communicates with bayou Pierre, and conveys about one-third part of the water of the main channel at the head of the bayou, from the main river to bayou Pierre. There are numerous other outlets and bayous communicating in a similar manner with bayou Pierre, and serving not only to reduce the volume of the main stream, but to check the speed of its current, which, in many places, does not exceed one and a quarter miles per hour, at the present stage of water. Owing to this reduction of its volume, the capacity of the main channel has been considerably reduced; so that from the head of Pascagoula bayou downward, to the mouth or inlet of Loggy bayou, embracing a distance of fifty miles, its average width does not exceed one hundred feet, and the speed of its current one and a half miles per hour.

On the left of the river, below Shreveport, are numerous small outlet bayous, which lead to, and unite with, Benoist bayou, Willow-chute, &c. all of which discharge their waters into lake Bodeau, and through bayou Bodeau into lake Bistineau; all of which are situated near the river hills, by which the valley is bounded on the north-east side of the river. The waters thus congregated in the lake last mentioned, are conveyed back again to the main channel through Loggy bayou, Coshatta bayou, and other less considerable channels. By means of these successive re-augmentations, the main stream becomes more voluminous, and its current more rapid, from the mouth of Loggy bayou downward, to the mouth of bayou Pierre, through a distance of about seventy-five miles.

Prior to the removal of the old raft, the channel through which keel-boats were conducted past this formidable obstruction, led successively through Loggy bayou, the southern extremity of lake Bistineau, bayou Bodeau, lake Bodeau, and Willow-chute; at the head of which last it united again with the present navigable channel, which was then unobstructed by the raft.

At the present time, improvements having recently been made by the State of Louisiana in the channel of bayou Pierre, and of the lakes connected with that stream, keel-boats are enabled to ascend through this channel, and accommodations are thus afforded to numerous inhabitants residing in its vicinity.

From the mouth of bayou Pierre downward, through a distance of ten miles, to the head of bayou Bondieu, seven miles above Natchitoches, almost the entire volume of the river, both in high and low water, passes in a single channel, situated on the right of the river valley, and near the river hills on that side.

Below the head of bayou Bondieu, the river is divided into two considerable streams, viz. the Bondieu, and Cane or Little rivers; the former conveying at least two-thirds of the water of the entire river, having been much enlarged within a period of a few years. The first settlements on Red river between Natchitoches and Alexandria, were made along the shores of the Cane or little rivers; the Bondieu at that time having been an inconsiderable bayou, and totally unfit for navigation. These two streams and the numerous bayous with which they are connected, unite their waters again, in a single channel, at the distance of sixty miles downward, as measured on the Bondieu, or ninety miles, as measured on the Cane or Little river, from the head of the Bondieu.

From the mouth of the Bondieu downward, to Alexandria, embracing a distance of about forty miles, the water of the river passes mainly in a single channel, which is sufficiently



broad, deep, and commodious, in other respects, for steamboat navigation.

At Alexandria the navigation is obstructed in low water by shoals and rapids, extending through a distance of about two miles, at which the aggregate fall in a very low stage of the river is about five feet. The obstructions at this place are occasioned by beds of very soft, probably saponaceous rock, through which it has been contemplated to cut a channel of a capacity to admit steamboats, which, no doubt, may be effected at an expense comparatively moderate.

Below Alexandria the river valley again presents numerous lakes, swamps, lagoons and small bayous, but the main channel is sufficiently large and commodious to admit of the free passage of steamboats of the larger classes in all stages of the river, except at a place called the Rapiers, where the low water channel, for a short distance, is obstructed by beds or rather hog-back ridges of indurated clay, which may readily be reduced, and a channel opened across them by the application of mechanical force.

The flats or bottom lands within this part of the river valley are for the most part, subject to inundation during the prevalence of high freshets, either in the Red or Mississippi river, and especially in the latter, the back water occasioned by which extends upwards in Red river, through a distance of more than one hundred miles, overflowing the entire valley of the latter many miles from its mouth.

A vast tract of country thus subject to inundation, but otherwise of incalculable value, might probably be reclaimed and successfully brought under cultivation by means of a cut-off at the gorge of Tunica bend in the Mississippi, a few miles below the mouth of Red river, at which this river has to traverse a detour of more than twenty-five miles, the gorge of which is said to have an extent of only about nine hundred yards. By turning the river across in the direction here contemplated, the elevation of its surface at all points between the bend and Red river, and even to a much greater extent upwards, would, no doubt, be reduced sufficiently to prevent the overflow of the flat lands in the lower part of the Red river valley.

I feel persuaded that the method of reclamation just considered is the only one by which the extensive flats alluded to can be effectually rescued from the dominion of freshets, and rendered susceptible of cultivation. The alluvion of which the Red river bottoms are composed, is not sufficiently adhesive and compact for the formation of levees and other embankments of a character to resist the abrasions and permeations of the water. Numerous attempts have been made to block up outlets and prevent overflows at various points on the river, but in almost every instance they have proved ineffectual and abortive.

The formation of cut-offs, however, by means of which the water is drained off through channels more direct, and by currents more or less accelerated, has a tendency to reduce the elevation of the surface water at the head of every cut-off, and consequently, to drain from, or prevent the overflow of, any flat lands situated above and within the influence of such cut-off.

It is true that the method just contemplated, while it reduces the surface of the water at the head of the cut-off, will, at the same time, proportionally increase the elevation at its foot. If the evil thus resulting requires a remedy, it must be found by seeking another gorge below, and opening another cut-off.

As examples corroborating the results above predicted, we may cite Shreve's cut-off in the Mississippi, near the mouth of Red river, at which the elevation of surface water has been materially reduced above the cut-off, and increased in an equal degree below. We may also cite Jenkins' cut-off, in Red river, near Shreveport, at which results precisely of the same character have been produced, as evinced, in the former case, by the passage of Red river into the Mississippi above the cut-off, and the island formed by it; and in the latter, by a retrograde current in the old channel of the detour immediately below the cut-off.

Among the remarkable anomalies presented by Red river may be classed certain irregularities in the inundations of its extensive flats. Overflows occasionally prevail in some parts

of the valley to such an extent and duration, that the timber growth upon extensive tracts becomes deadened, and is succeeded either by a spacious pool of stagnant water, or by a growth of cotton wood, willows, vines, and other aquatic shrubbery, while other portions of the valley of equal extent are left destitute of overflows during equal periods of time, and become fit for cultivation. Occurrences of this sort have by some been regarded as the effects of earthquakes or other subterraneous agencies, by which the tracts first mentioned have been depressed, and those last mentioned have been elevated.

These irregularities, however, are obviously attributable to other causes far less remote, and may be accounted for much more satisfactorily in the following manner:

The river seldom or never brings down a sufficiency of water to inundate its entire valley, from the river hills on one side to those on the other, at one and the same time. The channels leading towards one side of the valley may become obstructed at their heads by rafts or otherwise, while those leading towards the other side are left open, and subject to gradual enlargement. Such being the case, the side of the valley first mentioned fails to receive its wonted supply of water, while that last mentioned receives a supply unusually large. In this way tracts that were previously dry, become and continue inundated, while other tracts previously submerged are left destitute of water and become dry, firm, and susceptible of cultivation. The ordinary effects of submersion and desiccation will be exhibited in the vegetable products liable to be affected by changes of this nature. Among these are the deadening of trees, by long continued immersion of their bases under water, and the springing of a dry land growth in situations from which overflows have been excluded.

Under present circumstances, and owing, in part to the obstructions in the main channel, occasioned by the existing raft, an unusual quantity of river water is thrown towards the right side of its valley, and causes a superabundance of water in lake Caddo, Cross lake, and the water courses connected with them, which are now filled up to an extraordinary depth; so much so, that large tracts, formerly frequented by hunters, and said to have been once inhabited by Indians, are now submersed many feet below the surface of the water.

The same is also true of bayou Pierre and the lakes connected with it, in so far as relates to the depth of the water contained in them at the present time, and the decay of immersed forests in their vicinity.

On the other hand, the reverse is true with respect to the bayous and lakes situated on the other side of the valley; the supplies of water received by which, at the present time, are far less abundant than they were formerly, and in consequence, swamps and other tracts previously inundated, are now partially reclaimed, and begin to produce a dry land growth of trees, shrubbery, &c.

Hence it results, also, that numerous bayous, leading transversely of the valley, and intercommunicating between the main navigable channel and the several lateral bayous of which we have already treated, sometimes exhibit currents of water tending towards one side of the valley, and at other times currents completely reversed and tending in the opposite direction, according to their subserviency in draining the water from an overcharged to an uncharged channel.

In connexion with the circumstances detailed as above, there is another worthy of particular notice in this place, viz. the fact that the date of extreme high water of any freshet occurs about two weeks earlier at the head of the region of which we have been treating, or at the outlet of Red bayou, than it does at Natchitoches; or about three weeks earlier than at the mouth of the river; the intervening periods being required for the diffusion of the surplus waters over the extensive lakes, lagoons and swamps, included within this spacious district.

Of the labyrinth of bayous, lagoons, lakes and swamps, of which we have been treating, the channel selected by Captain Shreve as most susceptible of improvement, and best adapted to navigation when improved, now demands our more particular consideration. The care, vigilance and ability, with which the selection has been made, reflect the

highest credit upon the judgment and skill of the enterprising agent just named, while the herculean task of clearing the channel, accomplished under the direction of the same gentleman, greatly enhances the meed of applause to which he is fairly entitled.

A more particular description of the channel just spoken of, which is the same as that heretofore designated as the main navigable channel, is deemed essential to an adequate comprehension of the nature and objects of the improvements under consideration. In its compilation, we shall unhesitatingly indulge in a repetition of many of the facts and circumstances already detailed.

Commencing at the head of Red bayou, between twenty and thirty miles above the present raft, the main navigable channel descends by a serpentine course to Hurricane bluff, on the north-east side of the river valley, and includes within the last eight miles from the head of the raft downward, the entire new raft by which the navigation is now obstructed. In the distance last mentioned occurs an extensive detour or bend of the river, the circuit of which embraces the extent just mentioned, viz. eight miles, while the distance across its gorge, commencing at the head of the detour, and terminating on the margin of an old channel of the river now filled with the cuttings of the old raft and other drift, is only a mile. At the head of this detour, and in the vicinity of Phelps' landing, commences the present raft, which has an extent downward of about three miles, through which the main channel is more or less densely packed with recent drift, of which the raft is composed. Within the space occupied by the raft are occasional interstices void of drift, and varying in their extent from one hundred feet to three or four hundred yards. In estimating the length of the raft, these interstices are omitted; independently of which, the aggregate length is computed at about three miles, as before stated.

At the foot of the detour and in connexion with it is a cut-off, about 150 yards long, leading across a narrow gorge of a subordinate bend, setting northward towards the head of the main detour, which formerly constituted the main channel, and at which the gorge mentioned in the preceding paragraph, has one of its terminations. This subordinate detour has a circuit of about three miles, which, added to the length of the main detour, gives for the entire length of the old channel, from the head of the raft to the foot of the present detour, about eleven miles. Since the formation of the cut-off which was made under the direction of Captain Shreve, the old channel, traversing the smaller bend, has been filled with the cuttings of the old raft, and still remains blocked up, as before mentioned.

A rude sketch or diagram is here presented, which exhibits a view of the detours, together with the position of the present raft, and other objects connected with this part of the river. [The diagram is omitted.—*ED. REG.*]

The width of the channel opened by Captain Shreve on this part of the river, and for a considerable distance below, varies from 75 to 150 feet. Its depth is sufficient for navigation in all stages of the water, and its current sufficiently rapid to prevent alluvial deposits.

The new raft has contributed to reduce the speed of the current materially, and, of course, the volume of water passing in the channel. It has at the same time served to increase the elevation of surface water at the head of the raft, and to cause a very considerable increase in the quantity of water drawn from the main channel by Chefel's bayou, and other outlets above.

The range from extreme low to extreme high water at the head of the raft, is only about five feet, which may be regarded as the ordinary range, not only on this part of the river, but generally, from the head of Red bayou downward, to that of Benoist's bayou, sixteen miles below Hurricane bluff.

Subsequently to the removal of the old raft, and soon after the accomplishment of that object on that part of the river above considered, the channel was again blocked up by a second raft, which was removed in 1840 by the aid of two steamboats employed for that purpose, at an expense of about \$20,000, which, it is said, has never been refunded to those who undertook the work. The channel, however, remained

open but for a very short time, when the formation of the present raft commenced.

The old raft occupied not only the distance above mentioned, viz. an extent of about 13 miles, by the old channel upward, from Hurricane bluff, but extended downward, about 30 miles below that point, to the mouth of Caddo bayou; through which distance the channel has about the same width and depth as those above stated.

Of the distance last considered, viz. from Hurricane bluff to Caddo bayou, the current is sufficiently rapid downward, to the head of Benoist's bayou, about 16 miles; but through a distance of 18 miles still further down, is very sluggish, especially during a high water stage, when the current is said to be reversed, setting towards the head of Benoist's bayou above, instead of downwards, towards Shreveport.—This anomaly may be accounted for, in part, from the fact that the extreme range or rise of the highest freshets at Shreveport, the conditions of the channels or bayous above remaining as at present, is about twelve feet, whereas at the head of Benoist's bayou it is only about five feet. Hence the surface of the water at the mouth of Caddo bayou, six miles above Shreveport, becomes sufficiently elevated to change the direction of the current as above mentioned.

Between the head of Benoist's and the mouth of Caddo bayou are two extensive detours, with very narrow gorges, viz. Vauter's bend, at which the circuit is about five miles and the gorge three hundred and fifty yards, and Cane's bend, with a circuit of about nine miles and a gorge of five hundred yards, at either or both of which, cut-offs may readily be formed, which would have a tendency to accelerate the low water current, and thereby prevent the channel from being filled with alluvial deposits.

In 1820, it is said, that the raft removed by Captain Shreve from that part of the river above the outlet of Willow-chute had no existence, the channel above that point having been then open and unobstructed. Of course the entire raft found in that part of the river which at the time of its removal occupied an extent of about sixteen miles, must have been formed subsequently to that date.

From the inlets of Caddo and Cross-lake bayous, downward, the channel is sufficiently capacious and the current sufficiently rapid for a distance of nine miles, to Jenkins' cut-off, which leads across the gorge of a bend three miles below Shreveport, the circuit of which has an extent of about three miles, and its gorge about one hundred yards. Midway of the bend just mentioned is the outlet into bayou Pierre, which conveys from the main channel nearly or quite three-fourths of the water that passes Shreveport. A very considerable portion of water thus withdrawn is restored again to the main channel at Shreve's cut-off, six miles below Jenkins' cut-off.

At Jenkins' cut-off the water is conveyed through the new channel in a direction perpendicular to that of the old channel below the bend, in consequence of which a considerable portion of its volume is deflected to the right, and passes into bayou Pierre, leaving an inadequate supply to pass downward in the main channel between the two cut-offs just mentioned, the distance being six miles. The preservation of a navigable channel between these two points involves two alternatives, viz. that of changing the direction of Jenkins' cut-off in such a manner as to give to the current a tendency in the direction of the old channel below it, or that of opening a new channel through bayou Pierre and a part of the detour intercepted by Shreve's cut-off; at which last it will again enter the present navigable channel. A choice between these alternatives must depend on future developments, of a character to show the comparative merits of the two routes. The difference in the distances and facilities presented by both is believed to be very inconsiderable. At present the main navigable channel is sufficiently wide and deep to admit of the free passage of steamboats, and the current sufficiently rapid to prevent depositions from the water.

In connexion with the improvements that have been made on the several portions of the river above considered, attempts were also made to stop up the heads or outlets of Willow-chute, Williams' bayou, Benoist's bayou, bayou Pierre, &c. by erecting dams at these several points, which instead of

shutting up the outlets, and thus producing the desired results, have all been swept away by freshets, and the outlets left open and unobstructed.

From Shreve's cut-off, downwards, to the head or outlet of Pascagoula bayou, the width of the channel varies from thirty, to fifty or sixty yards, its depth being amply sufficient for navigation in all stages. The distance here contemplated is forty-two miles, through which the supply of water is sufficiently copious, and its current sufficiently rapid. This portion of the river is also very serpentine, and presents several detours with extensive circuits and very narrow gorges, most of which will admit of cut-offs, by means of which the distance as above may be very materially reduced. The bends alluded to, and most practicable for improvements of this nature, are those called Latche's and Williams' bends, the former of which has a circuit of five miles and a gorge not exceeding three hundred and fifty yards, and the latter a circuit somewhat longer, and a gorge of five hundred yards.

A cut-off at the bend last mentioned would have a tendency, not only to accelerate the current in this part of the river, but to prevent the discharge of a considerable portion of its water through Pascagoula bayou into bayou Pierre, and, by this means, contribute essentially to the improvement of the navigable channel below.

At Pascagoula bayou, the range from the lowest to the highest water of the river, is probably less than at any other point, and it is said not to exceed four feet; the elevation of the flats above low water mark being even less than the rise just mentioned. Fifty miles above this point, viz. at Shreveport, the range is about twelve feet, and about the same distance below, viz. at the mouth of Loggy bayou, is somewhat greater than at Shreveport, while at the point under consideration it manifestly does not exceed five feet.

The remaining portion of the river demanding our particular attention, is that extending from the head of Pascagoula bayou downward to Loggy bayou, and embracing a distance of fifty miles. At the point last mentioned, as before observed, was the lower extremity of the old raft, at which the operations carried on by Captain Shreve, for the removal of the raft, were commenced.

This part of the river is exceedingly crooked, being composed almost entirely of a series of contiguous detours or bends, of greater or less extent, both in their circuits and gorges. Its channel is narrow, seldom exceeding fifty yards in width; and its current, for the most part, very moderate, and in places sluggish. Within the distance of a few miles on this part of the river, no less than three steamboats have been snagged and sunk, within a period of a little more than a year.

Among the detours alluded to, are Love's bend, with a circuit of four miles, and a gorge of four hundred yards; Grant point, with a circuit of about sixteen miles, and a gorge of less than half a mile; this detour embraces two distinct bends, both of which may be intercepted by a single cut-off about four hundred yards in length. In this detour the wrecks of the three steamboats, before noticed, still remain, one of which is sunk below the reach of steamboats of the deepest draft, while the others remain at the side of the channel, and serve to endanger the navigation. These obstructions ought to be removed, or a new channel should be substituted instead of that in which they are situated, by means of a cut-off, as above contemplated.

Besides the bends above designated, there are numerous others on this part of the river, many of which are susceptible of improvement by the introduction of cut-offs.

From Loggy bayou, downward, to the mouth of bayou Pierre, seventy-four miles, the channel is sufficiently spacious in all respects, and the current sufficiently rapid, for the purposes of free navigation.

Thirty miles below the mouth of Loggy bayou is another copious inlet from lake Bistineau, called Coshatta bayou, which greatly augments the volume of water in the main channel; besides which there are several other inlets far less considerable.

The outlets from this part of the river, of which bayou Wincey and bayou Houma are the most considerable, all lead into the bayou Pierre, which, after having received co-

pious supplies drawn from the main river at various points below its head, becomes so much enlarged, near its mouth, as to contain about three-fifths of the entire volume of the river; the water being, as at present, at a medium stage.

Numerous extensive bends, with short gorges, occur in the main channel, between Loggy bayou and the mouth of bayou Pierre, at which cut-offs might readily be formed, the tendency of which would be, not only to shorten the distance on this part of the river, but to accelerate its current, the last of which seems not to be required, at present.

An improvement of this character may very readily be effected, at a point about four miles above the mouth of bayou Pierre, by means of a cut-off but a few yards in length, through which the entire volume of the main navigable stream may be diverted from its channel, and thrown into bayou Pierre, the distance being about the same by both routes.

As we proceed downwards from Loggy bayou, the extreme range from low to high water increases, from twelve to twenty feet; which last is said to be very nearly the maximum range at the confluence of the main stream and bayou Pierre.

Ten miles below the mouth of bayou Pierre, through which distance nearly or quite the entire volume of the river is conveyed through a single channel, Red river is again divided into two subordinate channels, viz. the Rigolet or bayou de Bondieu, and the stream called Cane, or Little river, on the latter of which, and about seven miles below the point of bifurcation just mentioned, is the site of Natchitoches, and on the banks of which generally are the principal settlements included within this portion of the river valley. Cane river, till within a few years, was the main navigable channel, the Bondieu having been a very inconsiderable bayou, too small for navigation, as before remarked. But this bayou has at length become the main channel, conveying at least two-thirds of the water of the river, and affording a much more direct navigation; the distance by this route, from head to foot of the Bondieu, being computed at sixty miles, while that by Cane and Little river is said to be ninety to one hundred miles.

From the confluence of the Bondieu and Cane rivers to Alexandria, forty miles, the river is sufficiently wide and deep for commodious navigation, and is far less serpentine than any other parts of the river higher up; the Bondieu, which is remarkably direct, excepted.

At Alexandria the navigation of the river is seriously obstructed, during the low water stages, by the rapids that occur at this place, as previously noticed; also, at the Rapions many miles below, where shoals, occasioned by beds of clay somewhat indurated, obstruct the passage of boats during very low water. The cost of improving the channel at these two points, in a manner to admit the passage of boats drawing six feet, has been estimated by Mr. Dunbar, civil engineer for the State of Louisiana, at \$20,000; which, according to the best of my judgment, will be adequate to the accomplishment of these purposes. These improvements, though not provided for by any act of the General Government, are, nevertheless, essential, in order to render the river navigable at these two difficult points, in low water.

In all other parts of the river, from Alexandria to its mouth, the channel is sufficiently broad and deep for commodious navigation, in all stages of the water. Snags, planters, and sawyers, occasionally present themselves on this part of the river, the removal of which, together with the opening of channels across the shoals above mentioned, are the only improvements at present called for. A few detours occur, at which distances may be considerably reduced by the introduction of cut-offs. If to these we add a reduction of the elevation of surface water at the mouth of the river, as before intimated, by means of a cut-off at the gorge of Tunica bend, in the Mississippi, we have in prospect all the improvements of which the lower portions of Red river are susceptible.

In reference to the navigable channel of Red river generally, from the southerly boundary of the State of Arkansas, to its mouth at the Mississippi, it should, moreover be observed, that the sides and bottom of the channel, and espe-

cially the former, are more or less profusely set with snags, planters, sawyers, logs, stumps, &c., which should be removed, and of which the channel should be kept clear, in order to render the navigation safe and commodious.

The formation of rafts in Red river is attributable mainly to two causes, viz. to the narrowness of the channels, which, in many places, have not width sufficient to admit floating trees of ordinary lengths to swing round between their sides, and to the frequent occurrence of sunken logs, snags, &c., which intercept the downward progress of such drift, which, when collected in greater or less abundance, constitute rafts. Abrupt turns in the channels give occasion, also, to the formation of obstructions of this character.

The materials of which a raft is composed for awhile remain buoyant, and are sustained at or near the surface of the water; but after being thus exposed for a year or two, become water-soaked, and sink to the bottom. In this situation a superincumbent mass of similar materials is forced upon those first brought down and arrested, till at length the channel is thoroughly choked by the successive accumulations. As the materials thus embodied decay, and the interstices between them become filled with other alluvial depositions, a growth of cotton wood, willow, and other aquatic vegetation succeeds, and all traces of the channel at the surface are eventually obliterated.

It is obvious that a raft thus formed will remain stationary at its lower extremity, while its enlargement will be effected by an extension upward, in the direction of the channel from which it receives the materials employed in its formation.

In this way the raft begins and increases in depth, density, and extent, till large portions of the river, many miles in length, are effectually choked, and its waters diverted into other channels.

Much of the old raft, as found and removed under the direction of Captain Shreve, was of the character denominated "sunken raft," while extensive districts of the same were of the less formidable variety called "floating raft," the nature and character of which have been sufficiently explained in the foregoing remarks.

The present raft, as described in a former part of this paper, is of the description last mentioned, viz. floating raft.—The timber and other materials of which it is composed are yet buoyant, and admit the water to pass with much freedom beneath them.

With regard to the difficulty and expense of removing these two varieties of rafts, it is obvious that the cost of removing the sunken raft is incomparably greater than that attendant upon the removal of a floating raft.

We shall now attempt a very brief description of the machinery proper to be employed in the removal of rafts and other obstructions prevailing in Red river, and of the manner of operating upon them.

The machinery and other apparatus hitherto employed in operations upon the raft were, for the most part, devised by Captain Shreve, and consist principally of a steamer called, a snag-boat, of remarkable strength, furnished with a very powerful wheel and windlass, and a great variety of chains, warps, and other cordage of different sizes and powers; also of machine boats of very inferior dimensions and strength, for raising and cutting logs, snags, &c. of small sizes, which are also furnished with windlasses of the requisite strength. The windlass and other machinery of the snag-boat, as well as the boat itself, are worked by steam power, while those of the machine boats are worked by hand. In attendance upon the boats above mentioned were a keel-boat, which served as quarters for the laborers employed on the work, and skiffs or other small boats for their conveyance from one point to another. The tools and implements required for the service and kept among the apparatus of the boats consisted principally of cross-cut and other saws, axes, shovels, spades, mattocks, blacksmiths' tools, &c., besides cooking stoves and other culinary apparatus.

The force required to man a snag-boat should consist of a captain, mate, pilot, steam engineer, blacksmith, four firemen, ten laborers, and a cook, in all twenty persons. The force may be increased by the addition of more laborers,

according to the nature of the service, to twenty-five or thirty.

The force required on a machine boat may consist of six to ten hands, four of whom should be expert watermen.

In addition to the cordage required for actual operation with the boats, an extra supply adequate to the exigencies of a year's service should be stored on board of the boats, the cost of which may be estimated at \$500.

In reference to the cost of operating upon the raft and other obstructions, an estimate of Captain Shreve, rendered in 1839, (see Doc. No. 1, 2d ses. 26th Con.) and covering the probable amount of expenditures incident to the Red river improvement during 1840, calls for an appropriation of \$85,000. This amount is intended to cover the cost of repairing the snag-boat Eradicator, the purchase of three-keel boats for quarters, and also of cordage, tools, and other apparatus, and the defraying of contingent expenses of various kinds, together with the payment of an outstanding claim on account of the Red river service, amounting to \$11,169 15. In reference to this estimate, it should be observed that the force contemplated to be employed consisted of one hundred and fifty laborers, besides an adequate number of superintendents and other officers, carpenters, engineers, blacksmiths, cooks, &c.

The period of operations, as contemplated in the estimate, was six months, commencing in November and terminating in May following; this portion of the year having been preferred to that of the warmer months, by reason of the alarming epidemics that prevail during the latter.

In reference to the season most favorable for operations upon the raft and other obstructions, in so far as relates to the condition of the river and the facilities for executing the work, it may be remarked, that the period of low water commencing early in July, and terminating in November, is undoubtedly preferable to any other portion of the year, on every account except that of the health of those employed on the work. It may also be observed that, agreeably to the testimony of numerous inhabitants residing at and near the river, black laborers suffer incomparably less than white ones, from the deleterious influences of the summer climate.

The manner of operating upon a floating raft, consists in first running the snag-boat forcibly against the drift at its lower extremity, the boat being propelled by the full force of its steam-power. This operation serves to loosen the logs and other materials of which this part of the raft is composed. When sufficiently loosened in this way, warps are carried forward and applied to one or more of the largest logs or trees in the vicinity of the boat, and some hundreds of feet ahead of it, when the boat is backed by its full steam-power, and a portion of the raft withdrawn. The logs &c. thus dragged out, are taken up successively by the machine boats (or by the snag-boat, which is furnished with apparatus for this purpose,) and reduced to pieces, twelve to thirty feet in length, by chopping with axes or cutting with saws. Thus reduced, the materials are thrown into the river and conveyed away by its current. Pieces having the roots of the trees from which they sprung attached to them, should not be longer than the shortest length just mentioned, and instead of being thrown back again into the channel, where they would be likely to be converted into planters of a formidable character, should be thrown on shore, or conveyed into bayous or pools more or less remote from the navigable channel. Having thus broken up and removed a portion of the raft, successive portions of the same are reduced and withdrawn in the same manner till the whole is removed.

The method of operating on a sunken raft differs considerably from that above described. The snag-boat is brought up to the foot of the raft; her windlass chain, which is very stout and strong, is attached to some one of the largest trees in the lower part of the raft, the tree selected for this purpose being partially imbedded in the bottom or sides of the channel, after the manner of a snag. The windlass is then put in operation by the agency of one of the steam engines of the boat. The tree is now wrested from its moorings and dragged upon the roller-ways of the boat, where it is divided



by saws or otherwise into the lengths before mentioned, and disposed of in the same manner. The eradication of the tree by this process, serves to loosen a greater or less quantity of the materials of the raft, which are taken up and reduced to pieces as before, and then turned adrift, or removed from the channel and conveyed into pools or bayous or thrown on shore.

As an example of the progress made in the removal of a raft, part of which was sunken, I have been credibly informed that an extent of more than a mile of compact raft was removed by fifty-six men in fifteen days.

In case a snag or sawyer of large size has to be removed, the snag-boat is brought up to it in a manner to thrust its inclined plane or lift under the end of the snag, as presented above the surface of the water, thus lifting the snag partially into the boat. The windlass chain is then applied to the main part of the trunk of the snag, as near to its root as practicable, and the entire snag is dragged into the boat, deposited on its roller-ways, reduced to pieces, and disposed of as before.

When a planter (the trunk of a tree standing perpendicularly in the water, with its roots more or less firmly imbedded in the alluvion at the bottom of the stream) is to be operated upon, the snag-boat is made to run with its full speed and momentum against the obstruction, and to repeat this operation, striking the planter in different directions, till it is effectually loosened to its roots. The windlass chain is then applied, the planter lifted out of the water and deposited on the rollers of the boat, after which it is cut into pieces and disposed of as before.\*

Logs more or less deeply imbedded in the deposits of the river, are grappled, raised and disposed of in the same manner.

The snag-boat is occasionally employed as a tow-boat to drag the materials of a reduced raft from the channel, and force them into bayous or pools, or to deposit them on shore.

Other operations, having for their object the improvement of the river, are of the following character and import, and may be effected in the following manner:

A cut-off leading across the gorge of a bend or detour of a channel, is effected by excavating a new channel, eight to ten, or twelve feet wide, and to the depth of three or four feet below the high water surface of the river; the depth in all cases being sufficient to penetrate through the soil and below the roots of all trees and other vegetable products springing from it. Thus begun, the cut-off is completed by the abrasion of the current spontaneously produced in the excavated channel by subsequent freshets, one of which is sometimes sufficient to complete the operation.

In order to prevent the formation of a raft or the creation of other obstructions at or below the point of a contemplated cut-off, the trees, &c. standing upon the ground to be occupied by it should be felled and cut into pieces prior to the formation of the cut-off.

Short turns or crooks in the channel may be rendered less abrupt, and more safe and easy of navigation, by reducing the protruding points around which the channel passes. This operation is to be effected by cutting the trees and bushes from the points, extracting any logs contained in them, and loosening the earth of which they are composed, till the obstruction is sufficiently demolished, and its component parts swept away by the current.

In order to guard against the formation of new rafts, it has been deemed advisable to fell and reduce to pieces, in the manner before mentioned, all trees and saplings standing

on the banks of the river, and within their respective lengths of its margin. This operation I should deem advisable and expedient, so far as it relates to the cutting of trees, &c. standing upon or near concave shores, and of all trees and shrubbery overhanging the channel. This operation, however, should never be extended to the removal of bushes and other undergrowth, at or near the margin of the river. On the contrary, an abundant growth of young willows, cotton wood, vines, and shrubbery of all kinds, should be encouraged and promoted as much as possible on the alluvious shores of the river, as the best means of protecting the banks from the abrasions and detritions occasioned by the current.

In addition to the methods of improvement presented in the foregoing details, two others have been suggested, neither of which can I regard as effectual, for reasons already assigned. The methods alluded to are those of closing the principal outlets from the main navigable channel by dams at their heads, and of erecting levees along the sides of the main stream, to prevent overflows and extravasations of its water; the former having already proved ineffectual at several points, and the latter, though not yet fully tested, being obviously of doubtful efficacy, if not entirely subversive of any beneficial results.

Whatever the mode of improvement, care should be taken, as well to prevent too large a portion of the water of the river from flowing in the improved channel as to prevent too great a reduction of its volume, and to ensure the requisite supply. The former of these evils will be likely to result from the erection of dams and levees for the purposes in question, should such structures prove stable and effectual; while it is believed that the latter may be effectually guarded against by keeping the channel open, reducing its distances by means of cut-offs, and thereby enlarging its capacity and increasing the speed of its current.

There is still another species of improvement deemed desirable and necessary by some, but which I regard as unadvisable under existing circumstances. The mode here adverted to contemplates a widening of the channel in various parts of the river, embracing an extent of several miles in each, in many instances, which cannot be effected without an expenditure vastly greater than the amount of the present appropriation.

If the channel as it now exists is cleared of all its obstructions, and kept free of snags, lodgments of drift, and other impediments of a character to impede the velocity of the current, and if effectual measures are taken to accelerate the current in places where it is at present too sluggish, the obvious and certain result will be gradual enlargement of the channel and its volume, which will be brought about by the abrasion of the sides of the channel by currents of water, rains, frosts, and other atmospheric changes, and by the decay of logs and other perishable materials imbedded in the banks; a result which is exemplified in numerous bayous connected with the lower portions of the river, from which drifting materials have been for a long time excluded, and in which a lively current has prevailed.

In discussing the improvements of the river, there is still another consideration worthy of particular notice. The growth of willows and other shrubbery, vines, &c. along the shores and near the water edges, as also the growth of young cotton woods, bushes, and other furze upon the river banks, should be permitted to remain. The alluvion of the banks being held together and confined by the roots of these vegetable products, is the better enabled to withstand the abrasion of currents, and, in consequence, the channel is kept narrower, deeper, and hitherto almost entirely exempt from shoals and sand-bars. In several instances, where the surface of the ground has been cleared to the water's edge, there begins to be strong indications of an enlargement in the width of the channel, and of the commencement of shoals, occasioned by the formation of bars. Any changes in the river having a tendency to generate obstructions of this character, should be carefully guarded against.

[Then follow various plans for the improvement of the river which we omit.—ED. REG.]

\* As a remarkable example of the difficulties of these operations, Captain Cooper, commanding the snag-boat *Archimedes*, informed me that he attacked a sycamore planter, seven feet in diameter, standing in the channel of the Missouri river near a sand-bar, and so situated that the snag-boat could be brought to act upon it from below and on one side only; and that the planter withstood more than one hundred shocks from the full power and momentum of the boat without any appearance of yielding; after which it was effectually loosened and entirely eradicated.



**Review of the Weather, etc., for July, 1841.**

The month just closed, taken in the aggregate, we shall record as having been pleasant, and very favorable for harvesting. It is true, there were some scorching days, when the mercury ranged in the shade at mid-day, from 90 to 94 degrees. And it is also true, that in many places there were tornadoes, with terrific hail and thunder storms, which made a great smashing of window glass, demolished a few houses and many barns; uprooted trees, and did some damage to vegetation, &c. In this Review we shall endeavor to give a brief account of some of the most important weather disasters of the month, which, no doubt will be interesting.—The month commenced excessively hot, but in the afternoon, of the 1st, heavy clouds rose in the West (which were highly charged with electricity) and passed north and south of the city, pouring forth copious showers, accompanied with heavy thunder and vivid lightning, which cooled the atmosphere for several days. The newspapers soon teemed with accounts of most awful storms on the 1st, some of which were described as being more terrific than any for half a century particularly in New England.

We shall notice in the first place, the weather in this city during the month. The first day was very hot, with mercury at 94, but after a heavy thunder shower in the evening, it became cool, and we had mild summer weather until the 14th, the mercury ranging from the 2d to the 14th, at mid-day, from 78 to 86. On the 14th it rose to 93, and from that period to the 28th of the month, the range of the mercury at mid-day, was from 82 to 88, except on the 15th, 23d, 24th and 25th, on which days it ranged at 2 o'clock, from 90 to 94. Saturday the 24th was the hottest day during the month including the whole 24 hours. The clear shining of the sun was enjoyed the greatest part of every day during the month, excepting the last, although in the evenings of six of the days, we were blest with seasonable and refreshing showers. The quantity of rain which fell during the month was  $3\frac{1}{4}$  inches. That which fell during the corresponding month of last year, was  $4\frac{1}{2}$  inches. The medium or average temperature of the whole month, was 74 degrees, viz: at sunrise 67; at 2 o'clock  $83\frac{1}{2}$ ; and at 10 P. M.  $71\frac{1}{2}$ . The average of the corresponding month of last year was 74, and that of 1839, was 74.

On the evening of the 5th, a heavy thunder shower passed over this city, during which the lightning struck and set fire to a large rope-walk about two miles from the city, and which communicated to two other rope-walks, and several contiguous buildings, all of which were destroyed. In the same shower, a barn was struck and consumed at Bristol, Pa. and another in New Jersey, and we have seen other accounts of barns being burnt by lightning the same evening.

Towards evening on the 1st, a part of the States of Connecticut, Rhode Island, Massachusetts and New Hampshire, were visited with frightful and destructive wind and hail storms. The hail fell in great quantities and was very large, measuring from 4 to 6 inches in circumference (as the newspapers from those places stated) accompanied by violent wind, and breaking many thousand panes of glass; uprooting trees, demolishing barns, sheds, &c. in great numbers, and doing immense damage to vegetation, fruit, &c. In Wenham, Danvers, Beverly, Boxford, Topsfield and Middletown, thirty-nine barns and some frame houses were blown down, and others unroofed. The Salem (Mass.) Gazette says, that in North Danvers, several barns and other frame buildings were blown down and many fruit trees destroyed, crops injured, &c. A Providence (R. I.) paper says, that thousands of panes of glass were destroyed in houses and factories in that vicinity, by the hail which fell in such quantities as to whiten the ground. In Amherst, (N. H.) one gentleman had 350 panes of glass broken by the hail on the 1st of July. On the same day, Fayette county, Ky. was visited with a destructive hail storm, which broke much glass and did great injury to vegetation, fruit, &c.

Cumberland and York counties, Pa. experienced a very extraordinary storm of wind and hail on the 5th of the month, which destroyed whole fields of Indian corn, &c.—Some buildings were blown down and others unroofed, trees

and fences prostrated, &c. One account says, the hail fell to the depth of a foot, and broke much window glass.

Lieut. Lancaster was killed by lightning in Florida on the 5th. George Collins was killed at Columbia, Pa. Samuel Whaley was killed at Hartwick, N. Y. John Marshall was killed near Westminster, Md. Three men were killed at Sidney, Ohio. Wm. H. Lipscomb and three negroes were killed at Pittsylvania county, Va. C. V. Segars was killed at St. Louis. Martin P. Jagers was killed at Somersville, Tenn. Hiram Gray was killed at Meredith. Joshua Anthony was killed at South Adams, Mass. Henry Starkley and a Mr. Garvey were killed at Springfield, Mass. Nathaniel and Josiah Norris were killed at Wayne, Me. A son of Mr. Armstrong was killed at Wrightsville, N. C. All the above, 19 in number, were instantly killed by lightning during the month. The whole of Mr. Armstrong's family were struck down, but all recovered but the son. In Bergen county, N. J. a whole family were prostrated by lightning on the 14th, and it was feared, that the father of the family would not survive.

In Buffalo township, Union county, a barn of Mr. Hirely's was struck by lightning on the 14th, and consumed with its contents, including five horses. At Enfield, a barn was struck and burnt, and three oxen killed.

In Berks county, Pa. a destructive thunder storm, with the wind blowing a complete hurricane, was experienced on 14th; which prostrated trees and almost everything before it for about two miles.

On the 14th, no less than four severe thunder gusts passed over Easton, Pa. from 9 in the morning to 9 in the evening; in one of which Mr. Brown had two fine horses killed by lightning. Several buildings were also struck and burnt.

On the evening of the 14th, a terrific thunder storm passed over Lambertton, Trenton, Princeton, &c. The lightning struck one vessel at Trenton and another at Lambertton. At Princeton, Mrs. Hamilton's house was struck.—Miss Heath's barn was struck and consumed. Mr. Leigh's barn was struck. A cow and heifer, with some sheep and swine were killed.

At Hopewell, Pa. the barn of John McAllister was struck and burnt by lightning on the 14th. On the same evening, several buildings were struck by lightning and burnt at Russellville.

On the 12th of July, Kingston, (U. C.) was visited with the most awful and destructive storm of thunder, lightning, hail and wind ever known there. It broke every pane of glass for many miles round, besides destroying all the crops, fruit and vegetables. An uncommon number of human beings, as well as horses and cattle, were killed this season by lightning.

A terrible thunder storm was experienced on the 5th, in Worcester county, Mass. which did great damage. The lightning struck in several places, and burnt one large barn and its contents, including a fine horse.

In a thunder storm which passed over Sandy Springs, (Maryland) on the 25th, the large barn on the plantation of Joshua Pierce, was struck by lightning and consumed, together with two smaller ones, all filled with grain and hay. On the same evening, a barn was struck and burnt at Deer Park, Maryland, belonging to James Williams.

At Watertown, (Mass.) a large barn was struck by lightning and consumed with its contents, on the 25th. Three horses perished in the flames. On the same evening, a barn was struck and consumed on the farm of Mr. Bullock, near West Chester, Pa. A mill in Lancaster county, Pa. was struck the same evening and consumed, together with other property.

On the 20th, Charleston, S. C. was visited with a terrific thunder storm and torrents of rain. The lightning struck the citadel, the tower of St. Paul's church, a house, a vessel, and a man, and did considerable other damage.

A Baltimore paper of the 24th, says, the weather is intensely hot, and the earth is completely parched with drought, so that the farmers are obliged to feed their stock as in winter. We hope the good people of Maryland have since been blest with like plentiful and refreshing rains, as have been experienced in Pennsylvania.

The newspapers from various parts of the U. States speak of the weather as having been intensely hot and dry, particularly from the 15th to the 25th of the month. The mercury ranging at mid day from 90 to 98 in the shade. In this city, the highest point our thermometers reached, was 94, and we have four hanging in different situations in the shade.

128 houses and other buildings were destroyed by fire on the 11th of July, in the village of Waterford, N. Y., which was one-half of all the taxable property. C. P.

Philadelphia, August 2, 1841.

[U. S. Gazette.

Temperature in Philadelphia.

The following table is taken from the Register kept at the Pennsylvania Hospital. The thermometer is exposed on the north side of the building in the shade. It will be seen that Sunday the 25th ult., was the warmest day this month, and also of this season.

SEVENTH MONTH, JULY.

8 o'clk.				8 o'clk.			
Max.		Min.	A. M.	Max.		Min.	A. M.
1	93	72	82	17	81	61	72
2	84	75	76	18	80	63	76
3	77	60	71	19	86	64	77
4	76	56	72	20	90	65	78
5	88	61	74	21	90	65	75
6	88	65	80	22	90	71	74
7	84	72	76	23	92	71	81
8	78	63	71	24	93	73	85
9	81	61	73	25	94	76	86
10	82	69	74	26	77	70	73
11	74	60	68	27	80	59	69
12	78	61	70	28	83	68	75
13	88	65	74	29	75	58	67
14	91	70	80	30	79	65	75
15	91	73	82	31	69	66	69
16	86	71	76				

	Max.	Min.	8 o'clk. P. M.
Average for July 1841	83.806	66.097	75.193
" " 1840	81.074	66.110	73.092
" " 1839	82.080	67.060	75.020
" " 1838	86.082	61.018	78.000
Warmest in July 1841			94 degrees.
" " 1840			91 "
" " 1839			88 "
" " 1838			94 "

RAIN.

The quantity of rain which fell during last month was 3.280 inches.

Mean temperature for the month,	74.951°
Mean pressure,	3.096 in.

Extremes of Temperature.

Maximum on the 25th,	94
Minimum " 4th,	56
Range	38
Greatest range in 24 hours on the 21st and from 28th to 29th,	25
Least do do 31st,	3
Warmest day, mean, 25th,	85
Coldest, do 4th,	66
Difference,	19
Mean daily range,	17.96

Barometer.

	Inches.
Maximum on the 21st,	30.42
Minimum " 15th,	29.89
Range,	00.53

Pennsylvania Hospital, 8th mo. 2d, 1841.

[North American.

Experiment on the proper distances for Cotton.

Mr. Editor: When I had the pleasure of seeing you at my house last spring, you requested me to make an experiment on thinning cotton to different distances, with the view of ascertaining, if possible, what is the best distance to give between the hills. I made the experiment accordingly, and hand you an account of it.

The rows were three feet apart, and five hundred and eighty-five yards long.

		Inches.	Produced.			
1st row thinned to	6	100	lbs.	seed	cotton.	
2d " " to	8	90	"	"	"	"
3d " " to	10	106	"	"	"	"
4th " " to	12	82	"	"	"	"
5th " " to	14	92	"	"	"	"
6th " " to	16	100	"	"	"	"
7th " " to	18	107	"	"	"	"
8th " " to	20	105	"	"	"	"
9th " " to	22	118	"	"	"	"
10th " " to	24	91	"	"	"	"
11th " " to	7	122	"	"	"	"

The difference in the product of the different rows, I suspect is owing to the manure not having been equally distributed, for it is difficult to get precisely the same quantity put under each bed. If anything is proven by this experiment, it is, that between six inches and twenty-four, there is but little difference in the product; but the same experiment must be repeated for several years before the question, whether one distance is better than another, can be settled. Last year was very wet, and the weeds grew unusually large; this may account for the rows having the greatest distance producing as much as the others; but in a dry year the result might be very different. To make a satisfactory experiment, I would suggest that it be made upon cotton to which no manure is applied, on account of the difficulty of spreading the manure equally on the different rows.

J. A. GILLESPIE.

P. S.—The land on which this experiment was made is upland, sometimes called oak and hickory land.

Marlborough, South Carolina.

Southern Agriculturist.

Silk.

The New York Times states that Thomas Whitmarsh, of Northampton, Mass. is now feeding four millions of silk worms. A few years since many persons gave great attention to the cultivation of the mulberry, without regard to the manufacture of silk; consequently the product of trees was very great, and the loss of the cultivator proportionate; but when the different branches of the manufacture of silk are brought into harmony, it will be found a very profitable business to all engaged in it. The amount of silks imported into this country, for the last ten years, is stated at \$150,000,000. Let the silk culture be encouraged, not the tree speculation.

Wheat Trade of Massillon, Ohio.

The wheat grown in the surrounding country is brought into Massillon and sold from wagons. For the two weeks ending on the 10th inst. forty-three thousand twenty-one bushels was thus purchased, being an expenditure of \$25,000 a week. The Massillon Gazette says: "The gross amount of flour cleared at this Collector's office, during the last year, was forty thousand nine hundred and twenty-one barrels, which was equal to 204,605 bushels of wheat. And of wheat there was cleared at this place eight hundred and forty-four thousand five hundred and seventy-two bushels; making an amount equal to one million, forty-nine thousand, one hundred and seventy-seven bushels of wheat."

Statement of the appropriations and expenditures each year, from 1829 to 1840, inclusive, for the civil list, foreign intercourse, and miscellaneous objects, for the military establishment, pensions, fortifications, internal improvements, Indian department, and the naval establishment, exhibiting also the excess of appropriations over expenditures.

Years.	CIVIL LIST, FOREIGN INTERCOURSE, AND MISCELLANEOUS.				Years.	MILITARY ESTABLISHMENT, EXCLUSIVE OF PENSIONS, FORTIFICATIONS, INTERNAL IMPROVEMENT, AND INDIAN DEPARTMENT.			
	Appropriation.	Expenditures.	Excess of appro'tn.	Excess of pay'mts.		Appropriation.	Expenditure.	Excess of appro'tn.	Excess of pay'mts.
1829	\$3,721,772 79	\$3,092,481 47	\$629,291 32	.....	1829	\$2,905,729 83	\$3,158,400 94	.....	\$252,671 11
1830	3,264,395 14	3,237,416 04	26,979 10	.....	1830	3,546,477 96	2,910,465 45	\$636,012 51	.....
1831	3,192,899 66	3,064,364 34	128,535 32	.....	1831	2,936,056 47	2,983,870 60	.....	47,814 13
1832	5,043,054 28	4,574,887 37	468,166 91	.....	1832	4,132,378 15	3,544,948 89	587,429 26	.....
1833	5,126,158 87	5,052,803 13	73,355 74	.....	1833	4,693,535 32	3,843,669 51	849,865 81	.....
1834	4,614,015 04	4,399,878 82	212,136 22	.....	1834	4,208,170 16	3,583,182 02	624,988 14	.....
1835	3,671,523 47	3,721,261 60	.....	\$49,738 18	1835	3,538,670 47	3,538,267 53	402 94	.....
1836	5,583,067 01	5,388,370 58	194,696 43	.....	1836	10,711,504 51	10,850,775 54	.....	139,271 03
1837	7,502,099 51	5,524,252 76	1,977,846 75	.....	1837	11,562,413 39	11,614,520 23	.....	52,106 84
1838	5,434,495 45	5,666,702 68	.....	232,207 23	1838	12,571,585 11	11,901,561 53	670,023 58	.....
1839	3,989,726 80	4,994,562 35	.....	1,004,835 55	1839	8,228,563 77	7,140,160 72	1,088,403 05	.....
1840	6,367,935 12	5,492,030 98	875,904 14	.....	1840	5,594,382 67	6,303,563 42	.....	709,180 75
Total....	\$57,511,143 14	\$54,209,012 12	\$4,588,911 93	\$1,286,780 91	Total ..	\$74,629,467 81	\$71,373,386 38	\$4,457,125 29	\$1,201,043 86
Annual av.	\$4,792,593 26	\$4,517,417 67	.....	.....	An. av..	\$6,219,122 31	\$5,947,782 19	.....	.....

STATEMENT CONTINUED.

Years.	PENSIONS.				Years.	FORTIFICATIONS.			
	Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.		Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.
1829	\$809,497 00	\$809,497 00	.....	.....	1829	\$954,445 91	\$968,512 21	.....	\$14,066 30
1830	1,280,742 06	1,280,742 06	.....	.....	1830	882,513 14	1,040,598 37	.....	148,085 23
1831	1,304,494 05	1,170,665 14	\$133,828 91	.....	1831	711,604 00	876,644 79	.....	165,040 79
1832	1,517,257 84	1,184,422 40	332,835 44	.....	1832	653,200 00	712,746 00	.....	59,546 00
1833	4,237,674 76	4,589,152 40	.....	\$351,477 64	1833	837,260 40	1,136,817 49	.....	299,557 09
1834	3,561,463 00	3,364,285 30	197,177 70	.....	1834	875,694 50	684,955 37	\$190,739 13	.....
1835	2,125,267 87	1,954,711 32	170,556 55	.....	1835	.....	440,487 78	.....	440,487 78
1836	2,396,637 90	2,882,797 96	.....	486,160 06	1836	2,031,842 95	1,192,626 77	839,216 18	.....
1837	3,096,081 71	2,672,162 45	423,919 26	.....	1837	.....	1,434,309 69	.....	1,434,309 69
1838	2,682,440 88	2,169,046 93	513,393 95	.....	1838	1,015,415 00	859,984 41	155,430 59	.....
1839	3,499,268 42	3,142,750 51	356,517 91	.....	1839	287,000 00	866,965 13	.....	579,965 13
1840	1,934,557 37	2,501,208 46	.....	566,651 09	1840	891,548 00	182,716 18	708,831 82	.....
Total....	\$28,445,382 86	\$27,721,441 93	\$2,128,229 72	\$1,404,288 79	Total ..	9,150,523 90	\$10,397,364 19	\$1,894,217 72	\$3,141,058 01
An. av....	\$2,370,448 57	\$2,310,120 16	.....	.....	An. av..	\$762,543 65	\$866,447 01	.....	.....

STATEMENT CONTINUED.

Years.	INTERNAL IMPROVEMENT.				Years.	INDIAN DEPARTMENT.			
	Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.		Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.
1829	\$680,518 00	\$737,475 39	.....	\$56,957 39	1829	\$695,692 96	\$576,344 74	\$119,348 22	.....
1830	642,852 88	898,620 31	.....	254,767 43	1830	1,032,490 15	622,262 47	410,227 68	.....
1831	1,035,494 44	981,320 16	\$54,174 28	.....	1831	911,489 48	930,738 04	.....	\$19,248 56
1832	1,280,006 75	1,188,339 99	91,666 76	.....	1832	1,306,281 27	1,352,419 75	.....	46,138 48
1833	1,090,853 30	1,723,532 10	.....	632,678 80	1833	2,171,863 29	1,802,980 93	368,882 36	.....
1834	1,777,757 36	1,428,051 99	349,705 37	.....	1834	1,353,519 06	1,003,953 20	349,565 86	.....
1835	1,438,061 48	1,780,401 38	.....	342,339 90	1835	2,058,923 98	1,706,444 48	352,479 50	.....
1836	1,929,325 33	1,326,698 34	602,626 99	.....	1836	8,314,060 45	2,213,212 02	6,100,848 43	.....
1837	2,103,034 04	1,900,045 02	202,989 02	.....	1837	2,393,120 93	1,818,009 96	575,060 97	.....
1838	2,099,618 06	1,543,779 46	555,838 60	.....	1838	4,258,480 33	3,461,939 24	796,541 09	.....
1839	166,442 42	1,199,011 59	.....	1,032,569 17	1839	1,801,127 78	1,917,972 39	.....	116,844 61
1840	19,000 00	275,130 15	.....	256,130 15	1840	1,049,770 30	1,603,618 24	.....	553,847 94
Total.....	\$14,263,964 06	\$14,982,405 88	\$1,857,001 02	\$2,575,412 84	Total...	\$27,316,819 98	\$19,009,945 46	\$9,072,954 11	736,079 59
An. av. ....	\$1,188,663 67	\$1,248,533 82	.....	.....	An. av. ....	\$2,278,901 66	\$1,584,162 12	.....	.....

STATEMENT CONTINUED.

Years.	NAVAL ESTABLISHMENT.				Years.	TOTALS.			
	Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.		Appropriation.	Expenditure.	Excess of appro'tn.	Excess of paym'ts.
1829	\$3,723,475 40	\$3,308,745 47	\$414,729 93	.....	1829	\$13,491,131 89	\$12,651,457 22	\$1,163,369 47	\$323,694 80
1830	4,316,000 47	3,239,428 63	1,076,571 84	.....	1830	14,976,471 80	13,229,533 33	2,149,791 13	402,852 66
1831	3,496,643 29	3,856,183 07	.....	\$359,539 78	1831	13,588,681 39	13,863,786 14	316,538 51	591,643 26
1832	4,465,573 53	3,956,370 29	509,203 24	.....	1832	18,397,751 82	16,514,134 69	1,989,301 61	105,684 48
1833	3,867,872 01	3,901,356 75	.....	33,484 74	1833	22,025,217 95	22,050,312 31	1,292,103 91	1,317,198 27
1834	4,578,373 37	3,956,260 42	622,112 95	.....	1834	20,968,992 49	18,420,567 12	2,548,425 37	.....
1835	4,998,234 13	3,864,939 06	1,133,295 07	.....	1835	17,830,681 40	17,006,513 15	1,656,734 06	832,565 81
1836	6,789,167 96	5,800,763 25	988,404 71	.....	1836	37,755,606 11	29,655,244 46	8,725,792 74	625,431 09
1837	7,470,057 60	6,646,652 98	823,404 62	.....	1837	34,126,807 18	31,610,003 09	4,003,220 62	1,486,416 53
1838	5,076,336 26	5,941,381 94	.....	865,045 68	1838	33,138,371 09	31,544,396 19	2,691,227 81	1,097,252 91
1839	5,890,430 96	6,182,294 25	.....	291,863 29	1839	23,862,560 15	25,443,716 94	1,444,920 96	3,026,077 75
1840	5,801,679 40	6,031,088 88	.....	229,409 48	1840	21,658,872 86	22,389,356 31	1,584,735 96	2,315,219 41
Total.....	\$60,473,844 38	\$56,685,464 99	\$5,507,722 36	\$1,779,342 97	Total...	\$271,821,146 13	\$254,379,020 95	\$29,566,162 15	\$12,121,036 97
An. av. ....	\$5,039,487 03	\$4,723,788 74	.....	.....	An. av. ....	\$22,651,762 17	\$21,198,251 74	\$2,463,846 84	\$1,010,336 41

Total appropriation.....\$271,821,146 13—do. excess \$29,566,162 15

Total expenditure..... 254,379,020 95—do. do. 12,124,936 97

\$17,442,125 18 12)17,442,125 18

Annual average of difference..... \$1,453,510 43

STATEMENT CONTINUED.

Years.	Expenditure exclusive of public debt.	Trust funds, treasury notes, interest, &c.	Aggregate annual expenditure as per statement No. 8.	NOTE.—No special notice of trust funds was made in the public accounts until 1835. In the printed accounts rendered to Congress for that and the subsequent years, they are particularly noticed.  The payments for 1840 are subject to variation on the settlement of the Treasurer's account by warrants which may appear to be unpaid at the close of that year.
1829	\$12,662,490 62	\$11,033 40	\$12,651,457 22	
1830	13,229,533 33	.....	13,229,533 33	
1831	13,864,067 90	281 76	13,863,786 14	
1832	16,516,388 77	2,254 08	16,514,134 69	
1833	22,713,755 11	*663,442 80	22,050,312 31	
1834	18,425,417 25	4,850 13	18,420,567 12	
1835	17,514,950 28	508,437 13	17,006,513 15	
1836	30,868,164 04	1,212,919 58	29,655,244 46	
1837	37,265,037 15	5,655,034 06	31,610,003 09	
1838	39,455,438 35	7,911,042 16	31,544,396 19	
1839	37,614,936 15	12,171,219 21	25,443,716 94	
1840	27,249,909 51	4,860,553 20	22,389,356 31	
	\$287,380,088 46	\$33,001,067 51	\$254,379,020 95 33,001,067 51	
	\$287,380,088 46		\$287,380,088 46	

\* Awards under the treaty with Denmark, \$663,161 04,

TREASURY DEPARTMENT, *Register's Office*, July 2, 1841.

MICHAEL NOURSE, *Acting Register*.

Treasury Notes.	
<i>Treasury Department,</i> } August 3, 1841. }	
Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840,	
	\$26,681,337 53
Redeemed of those issues .....	23,843,667 55
Leaving outstanding the sum of.....	\$2,857,669 98
Issued under the act of Feb. 1841, viz.	
Prior to March 4 .....	\$673,681 32
Since March 4.....	4,973,251 58
	5,646,932 90
Redeemed of this issue .....	199,266 30
Leaving outstanding,	5,447,666 60
Aggregate outstanding on the 1st instant..	\$8,305,336 58
T. EWING, Secretary of the Treasury.	

**Yankee Enterprise.**

The Fall River Archetype tells the following story:—“ Captain Thomas Sandford, who is in his seventeenth year, in the little sloop Morning Star, of thirty tons, left this port on the 21st of last May, for the port of Harbor Island, West Indies, and made land at the Hole in the Wall, on Abaco, in nine days ; after which for six days it rained and was so thick, that neither sun, moon, nor stars, were to be seen.— On the 19th of June he left Abaco for Powell's Point, Eletheura, or Hetera, where he arrived on the evening of the 20th. The next day, 21st he loaded with fruit, such as pine apples, limes, oranges, and sailed for this port on the following morning. He arrived here the 3d ult., having been absent thirty-five days, having sailed 2,800 miles. When Captain Sandford projected this voyage, he stated that he was going to the West Indies after a load of fruit to sell here on the 4th of July. The statement was regarded as so incredible, that many bets were taken that he would not return by the 4th. He had but two hands with him, and the whole voyage was performed without a pen being put to paper for any purpose. His reckoning was kept with a piece of chalk at the bottom of his quadrant case.”

**Great Heat.**

Boston runs ahead of Baltimore for hot weather. The highest range of the thermometer in this city was on Wednesday last, when it stood at 92° at 2 P. M. In Boston on the same day, it will be seen by the annexed paragraph, it stood at 97½°—or 5½ degrees higher.

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*From the Boston Journal of Thursday Evening.*

HOT WEATHER.—The weather during the two last days, in this city, has been very warm, and yesterday (Wednesday,) for upwards of an hour, warmer than for many years. On Tuesday, the thermometer when highest stood at 91½, and during the night did not fall below 76½. Yesterday, at 2 P. M. it stood at 95½, at twenty minutes before 3, at 95, and at five minutes before 3, at 97½; precisely at 3, (when the wind suddenly changed, from S. W. to N. E.,) at 97, and at half past 3, at 70, being a fall of 27 degrees in half an hour. On looking over my journal for the last ten years, I find the greatest altitude recorded in that time was 94½, twice, viz: on July 2d, 1832, and July 11th, 1838. Being nearly three degrees less than on yesterday. The greatest heat on record, in Boston, (100,) occurred also on the 11th of July, 1825.

**Specimens of Female Industry.**

We were shown yesterday (says the Georgian Messenger,) five beautiful silk shawls, made of doubled and twisted sewing silk, which in texture, weight and color will compare with any India shawls of the same material—four of them were a yard square, and the other, black, about a yard and a half square. The twist was even and free from all knots, and the whole skillfully and beautifully put together. We take pride in the fact they were made by a native of Georgia. They are the handiwork of Mrs. Oliver W. Cox, of Henry county, Georgia, who raised the worms, reeled and twisted the silk, and knotted the shawls.

While speaking of domestic industry, we saw yesterday our friend Burton, of Hazard district, in this county, dressed in a full suit of domestic Nankin, scarcely distinguishable from the article of Pekin. He raised the cotton, his wife and daughter carded and spun it, his wife wove the cloth, and cut out and made the coat, pantaloons and vest. Here is an example of good housewifery worthy of imitation.



Vessels belonging to the Port of Philadelphia.

A friend, conversant with such matters, has prepared for us, with considerable labor, the following statement of the Ships, Barques and Brigs, belonging to the Port of Philadelphia, with the tonnage of most of them. This table will prove valuable for future reference.

SHIPS.

	Tons.		Tons.
Algonquin	483	North Star	399
Allegheny	413	Octarora	544
Adelaide	373	Osage	467
Burlington	550	Ohio	351
Commerce	439	Plato	300
Chandler Price	441	Robert Fulton	561
Colossus	399	Roanoke	318
Champlain	624	Renown	295
Eliza & Susan	316	Shenandoah	740
Edward	346	Susquehanna	583
Globe	474	Stephen Baldwin	650
Henry Pratt	593	Swatara	748
Hopewell	413	St. Louis	344
Helen Mar	307	Thomas P. Cope	730
John N. Gossler	504	Tuscany	299
Lehigh	565	United States	448
Levant	486	Venice	558
Monongahela	510	Washington	369
Manchester	379	Walter	474
Montezuma	424		

BARQUES.

	Tons.		Tons.
Anna Reynolds	197	Lydia Ann	215
Amelia	244	Levant	147
B. Meziek	360	Louisa	241
Backus	200	La Plata	263
Coosa	258	Madeline	293
Clarion	226	Madonna	262
Cora	166	Navarre	242
California	185	Osceola	265
Globe	260	Ohio	237
Georgian	278	Ronaldson	324
Hercules	382	Sarah Hand	320
Josephine	323	Valparaiso	402
J. W. Cater	217	Waverly	233
Joshua Emlen	250		

BRIGS.

Aldrich	J. Palmer
America	Langdon Cheves
Ann & Leah	Lexington
Antelope	Magoun
Betsy & Jane	New Hanover
Bourne	Norris Stanley
Brandywine	Pacific
Caraccas	Paul T. Jones
Chipola	Pennsylvania
Constitution	Peru
Delight	Rowena
Delos	Smyrna
Echo	Susan
Elizabeth	Theodore
Emily	Treaty
Espeleta	Violet
Gen. Glover	Washington
Huntress	Wm. J. Watson
Independence	Wm. Thatcher
J. Cowperthwaite	Wissahicon
Janet	

BRIGANTINES.

Ada Eliza	Maria
Ann Eliza L.	Mentor
Atalanta	Norfolk
Cuba	Olive

Cumberland	Orion
Daniel Kilby	Orson
Despatch	Po
Eagle	Randolph
Emily Davis	Sisters
Finance	Seaman
Harry	Stranger
Henrietta	Tacon
Indiana	Venezuela
Joshua Emlen	Vesper
Joshua Sears	Virginia Trader
Junius	Will
Madrid	William Wallace

RECAPITULATION.

Ships .....	39
Barques .....	27
Brigs.....	41
Brigantines .....	34
Total.....	141

[N. American.

Lumber Business in Maine.

We have been furnished, says the Portland Advertiser, by a practical man, who has obtained his information from actual observation and inquiry on the spot, that the quantity of lumber which has come to market on the three principal rivers of the State the *present year*, is as follows, viz:

On the Penobscot,	100 millions of feet,
“ Kennebec,	40 “
“ Androscoggin,	20 “

making 160 millions of feet, which at an average value of 10 dollars per M. will yield 1,600,000 dollars. We may safely calculate the quantity upon the Saco, Union, Narraguagus, Machias and St. Croix rivers at 65 millions more, which will add 650,000 dollars, and make the aggregate product of timber the present year 2,250,000 dollars.

The Commissaries of the three wards in the 2d Municipality have just completed their quarterly reports upon Coffee-Houses, Grocery Stores, &c. We have been furnished with the following statistics:

	1st Ward.	2d Ward.	3d Ward.
Coffee-Houses	51	83	44
Boarding-Houses	34	37	6
Billiard Tables	29	5	2
Retail Grocery stores	7	46	18
Ten Pin Alleys	7	13	0
Restaurats	2	0	0

Grand total, 178 Coffee-Houses; 77 Boarding-Houses; 36 Billiard Tables; 71 Retail Grocery stores; 20 Ten Pin Alleys and 2 Restaurats. We should like to know, purely as a matter of curiosity, how many Cabarets and grog-shops of every description there are throughout the whole extent of the city.—N. O. Bulletin.

The late Rain Storm

Does not appear to have reached Albany, and up to Tuesday morning, the sufferings of that city for want of water were still augmenting. The scarcity of water for family use is more general, and has been of greater duration, than before experienced for many years, and perhaps has never been exceeded. Milk and butter have so far failed, in the surrounding country, that some of the neighboring farmers, who in the early part of the season brought butter to market and sold it for one shilling a pound, have within the last week bought the article from the Albany grocers, for their own consumption, at eighteen pence.—N. Y. Sun.

### State Credit, No. 1.

We copy from the National Gazette the following two articles on the State credit; that paper observes—

“The writer is a gentleman whose mind, information and patriotic sympathies alike claim attention to his views on this important subject. We beg the attention of public and business men to these communications, as exhibiting very clearly the fact that the Credit of Pennsylvania is justly second to that of no other State. To holders of State stocks the matter must prove exceedingly welcome.”

The interest on the public debt of Pennsylvania, due on the first of August has been punctually paid in specie or its equivalent. The amount payable was as follows:

Total amount of interest.....	\$855,416 01
Add 3 per cent. on \$769,258, the amount remaining after deducting \$86,157 due to non specie paying banks, not entitled to premium*.....	23,077 75
Actual amount of interest.....	\$878,493 76

Had Pennsylvania failed to pay this interest, the intelligence would have been widely if not gladly circulated, and our public authorities, the Legislature and the Executive, would have been censured, and justly censured, for gross neglect of duty in not providing for it. It would have been deeply mortifying to every citizen of Pennsylvania, to acknowledge this Commonwealth as one of the insolvent States—either temporarily unable or perversely unwilling to pay what is justly and legally a debt. The actual loss would have been most disastrous. A depreciation of not less than twenty per cent., or in the aggregate seven millions of dollars, would have ensued. All this has been avoided and the faith of Pennsylvania is yet beyond just reproach or reasonable suspicion.

Still this result would be by no means as gratifying if the payment had been effected by other than legitimate means, such as sound economy authorizes. If for instance the interest due on the 1st of August had been paid as heretofore by borrowing—by either voluntary or forced loans, no one of ordinary forecast could pretend to rejoice at it. But, if on the other hand, it had been effected either wholly or in part by an economical application of actual revenue, by a retrenchment of expenses and by a rigorous execution of the law which appropriates certain portions of the public debt, then there is abundant cause of congratulation. If it can be further shown, assuming this latter alternative, that such an economical policy will be steadfastly pursued, and that abundant means, out of actual and certain revenue, have been provided, there may be perfect confidence for the future and the doubts and misgivings which have arisen from a view of the past policy of the State need have no existence.

The object of this communication is to show as briefly as possible:

1. That to the action of the late Legislature, is due high praise for a resolute adherence to certain fixed principles of economy, which has enabled the State by legitimate means to pay its interest.

2. That the larger portion—two-thirds at least, of the interest due on the 1st August, and now paid, was realized from revenue; and, that ample provision is made to pay the interest hereafter, without borrowing a single dollar from the banks in the form of permanent loan.

\* By the Act of 12th June, 1840, after enacting that thereafter the interest falling due on Pennsylvania stock shall *always* be paid in specie or its equivalent, it is provided that “No bank which shall at the time any such interest becomes due, neglect or refuse to pay any of its notes, bills, obligations or deposited moneys in gold or silver, shall be entitled to receive or be paid such difference in value and all other creditors of the commonwealth shall be paid in gold or silver or its equivalent.

The conduct of the late Legislature has been severely scrutinized. Many of its acts have been censured, how justly it is not necessary now to inquire. But had it done nothing else than secure by *effective* enactments the maintenance of the public faith—and the punctual payment of this very interest, more errors than are imputed to it might be pardoned. It did this, however, in the resolute assertion of the law, that all money drawn from the Treasury should be by specific appropriations, and that moneys pledged for interest, should be used for no other purpose.

This policy was enforced by the 15th section of the Revenue Bill of the 4th May, 1841, which is important enough to be here quoted:

“Section 15. That where moneys have been or shall be specifically appropriated to the Internal Improvement (interest and sinking) fund, or any other object by any act of Assembly, the same shall not be applied by any officer of this Commonwealth to any other purpose or object than that to which they have been so specifically appropriated; and if any officer as aforesaid, shall knowingly offend against the provisions of this section, it shall be deemed a misdemeanor in office, and such officer so offending, shall, on conviction in any court of competent jurisdiction, be subject to a fine of not less than 500 dollars, and not more than 2000 dollars, at the discretion of the court.”

It is due to the Governor to say that in his annual message he called the attention of the Legislature to the necessity of such action, although its adoption was not sufficient to save the bill in which it was incorporated from a veto. The credit of its enactment belongs to the majority in the Legislature and especially to those who resolutely refused to accede to any Revenue Bill without it. The credit of its enforcement is due to the State Treasurer, who has in this, as in all respects with peculiar fidelity executed his duty. It is proper that the public creditor should understand this. It is his best security for the future.

The effect of the new provision is this. By Acts of Assembly passed in 1826 certain Revenue, viz: canal and railroad tolls, auction duties, turnpike, &c. dividends, and collateral inheritance taxes, were pledged to a fund which, though under a different name, is in fact the Interest and Sinking fund. By the Act 11th June, 1840, the taxes therein authorized were pledged for the same purpose.

But from 1826 to 1841 a practice had grown up of considering this a mere nominal fund—a matter of paper debits and credits, and in point of fact it was no security whatever. The pledged revenue went into the Treasury, was paid out to meet current demands of whatever kind, and then money was borrowed to make up the deficiency in the Interest fund. Hence it was, that for sixteen years the interest was paid by new loans. The intrinsic impropriety and ultimate disaster of this system were not realized in times of easy credit.

In 1840 the amount of pledged revenue, if it had been kept inviolate, would have been 999,891 dollars, or in round numbers one million of dollars, yet in January last the Governor announced that the deficit in the Interest fund was at least 800,000 dollars, which in less than a month the Legislature was obliged to provide as it best could. On the 1st of February, 1841, for the last time, thanks to the precaution taken by the late Legislature, a loan was negotiated or exacted to pay the whole amount of interest then due.

On the 23d February, 1841, a resolution was adopted by the Senate calling on the State Treasurer for a statement of the amount which would be realized before the 1st August, 1841, from the sources of revenue appropriated to interest purposes. To which an answer was sent estimating the amount at 534,987 dollars. A bill was subsequently reported by the Senate Committee of Finance adding other revenues to the interest fund and securing its inviolability, which, though it failed to become a law in the form reported, may be considered the basis of the enactment on the same subject, which was subsequently embodied in the Revenue bill and has been already quoted.

Assuming the estimate of the State Treasurer to be correct as to the revenue of the first half year, it was apparent there would be a deficiency in the interest fund on the 1st of August, of about 300,000 dollars, for which it

became necessary to provide. This was done by the act of 5th May, 1841, authorizing the Governor, if other means failed, to require certain banks to comply with the requisitions of their charters, and to the extent of the deficiency, make a loan to the State. Under this act the Governor called on a number of the banks for a loan not exceeding three and a half per cent. on their capitals, which was made, and which in the aggregate amounted to about \$340,000. It thus will be seen that while at every period of semi-annual payment of interest down to the 1st of February inclusive, loans to the full amount had been resorted to. On the 1st of August it was necessary to borrow but a small sum, and as will now be shown, the amount of the Governor's requisition was unnecessarily large. The state of the interest account on the 1st of August is believed to be this, the amounts though stated in round numbers, being in the main accurate.

Amount of Revenue pledged to interest to 1st August, and kept for that purpose under the Act of last session,.....	\$550,000
Amount in the Treasury derived from Revenue not pledged, but applied by the Treasurer for interest,.....	60,000
Amount of the Executive requisition on the banks under Act 5th May, 1841,.....	340,000
	<hr/>
	\$950,000
Deduct amount of interest due the 1st August,.	878,493
	<hr/>
Excess,.....	71,507

The Legislature seems to have anticipated this result, and to have looked beyond the necessities of the Commonwealth on the first of August by providing that the amount to be received from the banks should be applied to no other purpose than the payment of the interest on the public debt, then due or thereafter to become due. The excess, therefore, remains in the Treasury pledged and applicable to the next half yearly payment of interest on the 1st of February.

Thus it is demonstrable that by the enactment of the 15th Section of the Revenue Bill of 4th May, 1841, and its faithful execution by the State Treasurer for the first time in the financial history of Pennsylvania since the creation of the present Improvement debt, the larger portion of the semi-annual interest has been paid out of secure and certain revenue. It remains to be shown (and it can be most conclusively,) that hereafter the interest can be always paid with punctuality and the principal gradually liquidated, without borrowing a farthing from the banks.

No. 2.

It remains to be shown that the interest on the public debt can at all times hereafter be paid, and the principal gradually reduced, without recourse to forced or voluntary loans or exactions of any kind from the banks.

At the time the State Treasurer made his estimate of the proceeds of the revenue pledged to the payment of interest, no tax law on real and personal property was in force but the act of 11th June, 1840, and no change had been made in the very defective system of assessment under that act.— Even the laws subsequently passed, with a few exceptions presently to be noticed, for the increase of the taxes and the correction of the assessments, will not be in full operation till 1842, so that all estimates of revenue for interest or other purposes must have reference to former laws. Estimates for the next year must be made on another and still more favorable principle. Let us see how the interest fund will be on the 1st February, 1842, when the next payment is to be made.

The Treasurer in his communication to the Senate of the 24th February, 1841, estimated the interest fund on the 1st of August at 534,987 dollars, in which he included 25,000 dollars from the State tax. It appears that the fund, through the ordinary increase of revenue from other sources, amounted in fact to 550,000 dollars, but that the proceeds from the State tax before the 1st of August amounted to but

10,000 dollars or thereabouts. This statement is made on the authority of officers of the treasury. It is therefore proper to add the difference, or 15,000 dollars, to the estimated revenue for the next half year. Thus corrected, and assuming that in other respects the revenue will be the same as last year, the state of the interest fund on the 1st February next will be—

Balance of Governor's requisition under Act of 5th May, 1841 .....	\$71,507
Revenue from other sources than taxes pledged to interest .....	489,904
Proceeds of State tax, 11th June, 1840.....	360,000
Brokers' tax now collected and not paid over*.	4,800
	<hr/>
Amount of interest fund, 1st February, 1841..	\$926,211

The interest due on that day, if the banks do not resume specie payments, the whole of the loan of 1821 be converted into a six per cent. stock, and the Lunatic Asylum loan be taken, will not amount to 900,000 dollars, leaving a clear surplus without allowing any increase of revenue for the current year. The impression of the writer (and as such only is it stated) is that the interest fund on the 1st February, 1842, if the present system be adhered to, will be not less than 1,100,000 dollars, which will leave a surplus of 200,000 dollars, to be applied under the Act of 1826 to a sinking fund. The interest on the 1st of February and at all times thereafter may therefore be certainly relied on.

In 1842 and thereafter these results of provident legislation may still be more clearly foreseen. If the estimates heretofore made and still believed to be accurate be verified, the Interest and Sinking Fund will, without computing the new taxes imposed last year, amount to 2,200,000 dollars— or with those taxes to very nearly 3,000,000 dollars.

The crisis in our State finances may therefore be considered as over. Had it sooner occurred, and had previous Legislatures been made to realize the real state of things, it would have been better. To borrow to pay interest is always easier than to borrow for other purposes, simply because those who are able to lend have, or think they have, an interest in lending. Had the pledged revenue heretofore been kept sacred as it now is, and loans been solicited for improvement, or the many other purposes for which it has been squandered, no one supposes they would have been obtained, and thus the course of improvident and almost profligate expenditure would have been arrested. The Commonwealth is now in the safest of positions; amply solvent—able to pay all its debts, and yet unable to incur any new ones. If the same policy which the writer has endeavored to vindicate be steadily pursued (and there is no reason to suppose it will be abandoned) there need be no uneasiness for the future.

\* In the estimates of taxation made by Mr. Reed in his published letter of the 9th of May, the Brokers' tax was stated at 3000 dollars. In this city and county, though probably all the licenses have not yet been taken, it amounts to 4,800 dollars.

The Bee Business.

Mr. Rice, of Ripley, Erie county, Pa., has an extensive establishment for keeping bees. Twenty years ago he had one swarm, from which in 12 years, he had 396 swarms. The Erie Gazette states that they had then become so powerful that they commenced depredations on the neighboring tribes, going out on predatory excursions to the distance of two or three miles, much to the annoyance of the unfortunate neighbors. He then killed off a number of swarms and obtained over two tons of honey for the New York Market. He has now adopted the patent hives for a part of his bees, in which small glass drawers are placed in the upper part, with small apertures for access from the main part of the hive. In this way, by drawing the slides the bees can be seen at work, and the amount of honey ascertained. When filled, the drawer can be removed, and the place supplied by another, without destroying the industrious insects.

### Laws of the United States.

An Act authorizing a loan not exceeding the sum of twelve millions of dollars.

*Be it enacted &c.* That the President of the United States is hereby authorized, at any time within one year from the passage of this act, to borrow on the credit of the United States, a sum not exceeding twelve millions of dollars, or so much thereof as in his opinion the exigencies of the government may require, at a rate of interest, payable quarterly and semi-annually, not exceeding six per centum per annum; which loan shall be made reimbursable either at the will of the Secretary of the Treasury, after six months notice, or at any time after three years, from the first day of January next; and said money so borrowed shall be applied, in addition to the money now in the Treasury, or which may be received therein from other sources, to the payment and redemption of the Treasury notes heretofore authorized, which are or may be outstanding and unpaid, and to defray any of the public expenses which have been heretofore, or which may be authorized by law, which stock shall be transferable only on the books of the Treasury.

*Sec. 2. And be it further enacted,* That the Secretary of the Treasury be and he is hereby authorized, with the consent of the President, to cause to be prepared certificates of stock, signed by the Secretary, and countersigned by the Register of the Treasury, for the sum to be borrowed, or any part thereof, bearing an interest not exceeding six per centum per annum, and transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold; Provided, That no stock be sold below par.

*Sec. 3. And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized to receive proposals for taking the said loan, or to employ an agent or agents for the purpose of negotiating the same, and to pay to him or them a reasonable commission, not exceeding one-tenth of one per cent. on the amount so negotiated; which sum to be allowed to such agent or agents, and such expense as may be necessarily incurred in printing, issuing certificates of stock, and other expenses incident to the due execution of this act, in all not exceeding twelve thousand dollars; which sum is hereby appropriated for that purpose, and shall be paid out of any money in the Treasury not otherwise appropriated.

*Sec. 4. And be it further enacted,* That the Secretary of the Treasury is hereby authorized to purchase, at any time before the period herein limited for the redemption of stock hereby authorized, such portion thereof as the funds of the government may admit of, after meeting all the demands on the Treasury, and any surplus in the Treasury is hereby appropriated to that object.

*Sec. 5. And be it further enacted,* That the faith of the United States be, and is hereby, pledged for the punctual payment of the interest and redemption of said stock.

JOHN WHITE,  
Speaker of the House of Representatives.

SAM'L L. SOUTHARD,  
President of the Senate pro tempore.

Approved, June 25, 1841.

JOHN TYLER.

The Speaker laid before the House the following communication from the President which was referred to the Committee of Ways and Means:

WASHINGTON, August 3, 1841.

*To the House of Representatives:*

On the 18th of February, 1832, the House of Representatives adopted a resolution in the following words:

"Resolved, That the President be authorized to employ Horatio Greenough, of Massachusetts, to execute in marble, a full-length pedestrian statue of Washington, to be placed in the centre of the Rotundo of the Capitol, the head to be a copy of Houdon's Washington, and the accessories to be left to the judgment of the artist."

On the 23d of the same month, the Secretary of State, by

direction of the President, addressed to Mr. Greenough a letter of instructions for carrying into effect the resolution of the House.

On the 14th day of July, 1832, an appropriation of the sum of five thousand dollars was made to "enable the President to contract with a skillful artist to execute, in marble, a pedestrian statue of George Washington, to be placed in the centre of the Rotundo of the Capitol," and several appropriations were made at succeeding sessions in furtherance of the same object.

Mr. Greenough, having been employed upon the work for several years, at Florence, completed it some months ago.

By a resolution of Congress of the 27th of May, 1840, it was directed "that the Secretary of the Navy be authorized and instructed to take measures for the importation and erection of the statue of Washington by Greenough." In pursuance of this authority, the Navy Department held a correspondence with Commodore Hull, commanding on the Mediterranean station, who entered into an agreement with the owners or master of the ship "Sea," for the transportation of the statue to the United States. This ship, with the statue on board, arrived in this city on the 31st ultimo, and now lies at the Navy Yard.

As appropriations have become necessary for the payment of the freight and other expenses, I communicate to Congress such papers as may enable it to judge of the amount required.

JOHN TYLER.

### The Home Squadron.

An Act making Appropriations for the pay, subsistence, &c. of a Home Squadron.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the pay and subsistence, increase and repairs, medicines, and contingent expenses of two frigates, two sloops, two small vessels, and two armed steamers, to be employed as a Home Squadron, the sum of seven hundred and eighty-nine thousand three hundred and ten dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

JOHN WHITE,  
Speaker of the House of Representatives.

SAM'L L. SOUTHARD,  
President of the Senate pro tempore.

Approved, August 1, 1841.

JOHN TYLER.

### From Rock River.


A small boat called the "N. P. Hawkes," arrived this morning from Asteriam, 327 miles above the mouth of Rock River! She was built at the above place, which is only 40 miles below Milwaukie, Wisconsin Territory, is 100 feet long, 18 feet beam, and draws only 10 inches water; her hull is built in the most substantial manner—can carry in her hold 700 barrels of flour; engine is 32 horse power. This boat will run regularly between the city and Rock River.

*St. Louis Gazette.*

### Important Decision.

Judge Butler this morning decided that the banks have not incurred forfeiture of the Charter by the non acceptance of the act of the last Legislature.

*Charleston Patriot July 31.*

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EDITED BY SAMUEL HAZARD.

VOL. V. PHILADELPHIA, WEDNESDAY, AUGUST 18, 1841. No. 7.

## MISSISSIPPI BONDS.

To the Governor of the State of Mississippi.

The undersigned as trustees for the holders of Debentures of the Bank of the United States at Philadelphia on deposit of American State Stocks, and amongst others of a considerable amount of bonds of the State of Mississippi bearing five per cent. interest, issued through the Union Bank of Mississippi and made payable at the agency of the United States Bank of Pennsylvania in London, the principal in 1850 and 1858, and the dividends semi-annually in May and November—having been refused payment of the interest due the first of this month on said bonds, are compelled to address themselves to the Government of the State of Mississippi; and from their confidence in the faith of that Government, they feel convinced that the simple mentioning the fact of the non-payment will be sufficient stimulus for the Government of the State of Mississippi to take immediate measures for the payment of the interest now due and which will further successively become due on those bonds, and to prevent irregularities or demur so prejudicial to the interest of American credit in general and to that of the State of Mississippi in particular.

HOPE & Co.

Amsterdam, 22d May, 1841.

EXECUTIVE DEPARTMENT, }  
City of Jackson, July 13, 1841. }

Gentlemen—I have received your letter dated Amsterdam, 22d May, 1841, post marked Washington City, June 21st, 1841, and bearing the official frank of the Hon. Daniel Webster, Secretary of State of the United States. I have duly considered the contents thereof. Those bonds were not sold in accordance with the Constitution and laws of this State. They were delivered by me as an *escrow*, to be sold at not less than their par value and for cash, as the statute of this State required. The Charter of the Mississippi Union Bank prescribes not only the substance, but the form of the bonds, and provides that they shall be in the sum of two thousand dollars each, "which sum the said State of Mississippi promises to pay in current money of the United States," to the order of the bank, with interest at the rate of five per cent. per annum, payable half yearly, at the place named in the endorsement of the bonds. The act further provides that "said bonds shall not be sold under their par value." The bonds having been delivered to the managers of the bank to be sold on certain conditions, the State cannot be bound for their redemption unless the terms prescribed were complied with in the sale. The Constitution of this State expressly provides that "no law shall ever be passed to raise a loan of money upon the credit of the State or to pledge the faith of the State for the payment or redemption of any loan or debt, unless such laws be proposed in the Senate or House of Representatives, and be agreed to by a majority of the members of each House and entered on their journals, with the yeas and nays taken thereon, and be referred to the next succeeding Legislature, and published for three months previous to the next regular election, in three newspapers of this State; and unless a majority of each branch of the Legislature so elected, after such publication, shall agree to and pass such law; and in such case the yeas and nays shall be taken and entered on the journals of each House: Provided, that nothing

in this section shall be so construed as to prevent the Legislature from negotiating a further loan of one and a half millions of dollars, and vesting the same in stock reserved to the State by the charter of the Planters' Bank of the State of Mississippi."

Five millions of State Bonds, dated the 5th, 6th, 7th, 8th, and 9th days of June, 1838, were sold by the commissioners appointed by the Mississippi Union Bank, to Nicholas Biddle, Esq. on the 18th day of August, 1838, for five millions of dollars, lawful money of the United States, payable in five equal instalments of one million of dollars each, on the first day of November, one thousand eight hundred and thirty-eight, and on the first days of January, March, May and July, in the year one thousand eight hundred and thirty-nine, and "made payable at the agency of the Bank of the United States in London in sterling money of Great Britain at the rate of four shillings and sixpence to the dollar, with interest payable semi-annually at the same place and rate." No authority was ever given by any act of the Legislature of this State to change the currency in which said bonds were made payable. By selling the bonds on a credit, and changing them from dollars current money of the United States to pounds sterling of Great Britain, the following sums were lost:

Interest on five millions State Bonds from 7th June, 1838, to Nov. 1838.....	\$100,000 00
Interest on four millions two months	35,338 33
Interest on three millions two months	24,999 96
Interest on two millions two months	16,666 64
Interest on one million two months	8,333 32

\$183,338 30

Difference between five millions dollars principal of State Bonds, in current money of the United States and sterling money of Great Britain at four shillings and six pence to the dollar.....	478,750 00
Difference of interest on \$1,250,000 of State Bonds payable in twelve years, between current money of the United States and pounds sterling of Great Britain at four shillings and sixpence to the dollar.....	69,625 00
Difference of interest on \$3,750,000 of State Bonds, payable in twenty years between current money of the United States and pounds sterling of Great Britain at four shillings and sixpence to the dollar.....	353,063 00

\$1,084,781 30

From the above statement it will be perceived that one hundred and eighty-three thousand three hundred and thirty-eight dollars and thirty cents were lost by selling the five millions dollars of bonds on a credit, and paying interest thereon from their respective dates, and the further sum of nine hundred and one thousand three hundred and forty-three dollars was lost by changing the bonds from dollars' current money of the United States to pounds sterling of Great Britain. These two items amount to the enormous sum of one million eighty-four thousand seven hundred and eighty-one dollars and thirty cents. Surely such a sale cannot be binding on the State of Mississippi. The faith of this State was pledged for the payment of those bonds only upon



the condition that they were sold at not less than their par value. The State expected the full amount of those bonds to be paid into the vaults of the Mississippi Union Bank.— If the full amount had been received and the currency in which they were made payable not have been changed, the bank would have been better enabled to indemnify the State.

It appears that the bonds were endorsed in blank by the officers of the bank and delivered to the commissioners charged with their sale. Neither their power of attorney nor letter of instruction authorized those gentlemen to fill up said endorsement by making the bonds and coupons payable in pounds sterling of Great Britain at the rate of four shillings and sixpence to the dollar. If such a change had been made on the face of the bonds after their execution and delivery to the bank, the parties making the alteration would have been guilty of forgery and could have been immured in the penitentiary for the offence. It will be no answer to the argument to allege that the endorsement could only bind the Mississippi Union Bank. That institution has undertaken to pay both the principal and interest of the bonds. If the bank is compelled to pay the one million, eighty-four thousand seven hundred and eighty-four dollars and thirty cents for the loss sustained by the credit sale of the bonds and the change in the currency in which they were made payable, her means will be reduced that amount and the risk of the State thus greatly increased. The State was willing to intrust her credit to the bank on the conditions prescribed in the charter. The faith of this government has never been pledged for the illegal and fraudulent sale of those bonds.

This is a constitutional government, and all its officers take an oath to support the constitution of the State, and faithfully to discharge the duties of their respective offices. Her Chief Magistrate is required to take care that the laws be faithfully executed. He would be recreant to his trust and violate his official oath were he to suffer the laws of the land to be trampled upon and the constitution disregarded.

The contract for the sale of the State Bonds, shows that the statutes of the State in relation to the bonds, were made a part of the contract. The purchaser was well aware of the conditions on which they were issued, and knew that the purchase was neither sanctioned by the Constitution and Laws of this State, nor of Pennsylvania. The contract was guarantied by the Bank of the United States. The whole of the purchase money was paid by that institution. The name of Mr. Biddle was merely used in the contract as a device, to get round that clause in the charter of the Bank of the United States, which prohibits her from dealing in State stocks. The currency in which the Bonds were payable, was changed from dollars to pounds sterling, to give a false coloring to the transaction, and make it appear that the bonds were sold at par value. The principle is universal that fraud vitiates all contracts. The commercial law of this State relative to negotiable paper, is different from that of most other countries. The transfer of bonds and notes, does not prevent the drawer from setting up any defence against an innocent purchaser which could be made available against the original payee.

The State, therefore, denies all obligations to pay the bonds held in trust by you, for the following reasons:

1st. The bonds were sold on a credit.

2d. The currency in which the bonds were made payable, was changed from current money of the United States to Pounds Sterling of Great Britain, at the rate of four shillings and sixpence to the dollar.

3d. The contract of sale was fraudulent.

4th. The Bank of the United States was not authorized to make the purchase.

5th. The Bonds were sold at less than their par value, in violation of the charter of the bank.

The money paid for those bonds did not come into the State Treasury. The officers of this Government had no control over its disbursement. The bonds were disposed of in August, 1833, by collusion and fraud, in violation of the Constitution and Laws of this State. The Mississippi Union Bank, and the Bank of the United States, were parties to this unlawful transaction. You have the endorsement of both these institutions, and to them you must look for pay-

ment. This State never will pay the five millions of dollars of State bonds issued in June, 1838, or any portion of the interest due, or to become due thereon.

When I ascertained in January, 1839, the terms on which the bonds had been sold, I communicated the same to the Legislature and denounced the sale as illegal. At that time only two millions of dollars had been paid on the bonds by the Bank of the United States. By a Proclamation I subsequently issued, the sale of the second five millions of dollars of State bonds, delivered to the Mississippi Union Bank, was prevented.\* I absolutely refused to execute the last five and a half millions of dollars of State bonds demanded by that institution. These decisive measures prevented the illegal disposal of ten and a half millions of dollars of State bonds, and will convince you that the Government of this State never has countenanced, and cannot be made responsible for, the fraudulent acts of the Mississippi Union Bank.

I have forwarded to your address, the Journals of the Legislature of this State, for the years 1840 and 1841. It will afford me much pleasure to forward you such other documents as you may desire. I am anxious that the bond holders should be possessed of all the facts in relation to the issuance and disposal of the bonds sold by them. Your great experience in commercial affairs, no doubt has made you familiar with the principle that parties contract with reference to the law, and that in a constitutional and free government every act of a public functionary is merely an exercise of delegated power entrusted to him by the people for a specific purpose, and that his acts are the acts of the people, only while within the powers conferred upon him.

I am, gentlemen,

Very Respectfully,

Your obedient servant,

A. G. M'NUTT.

Messrs. HOPE & Co.

Amsterdam, Holland.

[Mississippian.

\* Vol. II. pp. 215, 246. Vol. IV. pp. 183, 273.

#### The Rattle Snake.

CHARLESTOWN, (VA.) July 29.

This venomous reptile is now rarely to be seen in our country, but we are informed that one of enormous size was killed a few days since by Mr. Patrick Driskell, in the neighborhood of Hardserabble, in this county. It measured 6 feet in length, and 5 inches in circumference. Mr. D. was near falling a prey to the deadly fangs of this monster. He was engaged in hauling in grain, and hearing an unusual noise at his heels, turned quickly to observe whence it came, when, to his great surprise and alarm, he discovered the snake in the very act of springing at him. Fortunately a tree was near by, behind which he suddenly retreated, and thus no doubt saved his life; for the teeth of the reptile were at the same moment buried in the bark of the tree. Mr. D. giving the alarm, the hands of the field hastened to the spot, when by the aid of numerous pitchforks, rakes, &c. "the serpent's head was soon bruised." It had nineteen rattles and a button, an evidence that it was an "old residenter."

[Press.

#### Sixty Days.

A wine dealer in this city wrote to his correspondent at Oporto to send him a pipe of a particular kind of very fine wine. The order went out by a steamer to Liverpool; from London to Lisbon by a steamer; a schooner was ready at Oporto for New York, and in sixty days the astonished dealer was presented with his invoice and pipe of wine.

#### From the Rocky Mountains.

A fleet of ten Mackinaw boats arrived at our landing this morning, from the farthest navigable points on the Upper Missouri, and the Yellow Stone, with about 20,000 Buffalo robes, some beaver, Buffalo tongues, &c. Some of the boats were built, two thousand and three hundred miles above this city. The steamboat Trapper is expected in a few days from the mouth of the Yellow Stone.—*St. Louis Gaz.*

### Resources of Pennsylvania and Her Credit.

The following statement is contained in an article published in the Harrisburg Intelligencer, and presents various important facts, in reference to the Resources and Credit of the State.

The State of Pennsylvania is inhabited by 1,724,033 free people, industrious and enterprising. In 1790, the number was only 434,373.

We have more than 28,000,000 of acres of land, and under better cultivation than any in this Union, and constantly improving. It is worth at least 700,900,000 dollars. We have more than 300,000 houses, worth 300,000,000 dollars, and barns, workshops, stores, furnaces, forges, factories and mills, worth 200,000,000 dollars more. Nor has our public debt been contracted for nothing. Our railroads and canals extend, not only to our coal and iron mines, but are designed to connect the waters of the great Lakes and the great Ohio and Mississippi valleys, with the waters of the Delaware and the Chesapeake. They intersect the State in every direction, from West to East and from North to South. Including State and company works, we have more than one thousand miles of canals and seven hundred miles of railroads, completed, and in operation, and costing more than 100,000,000 dollars. Some portions of these works are not yet profitable, in consequence of the unfinished links, and yet the tolls will this year, on the State works of about 700 miles, exceed a million of dollars.

The value of the anthracite coal mines upon the Schuylkill, the Lehigh, the Swatara, the Wisconisco, the Shamokin, the Susquehanna and the Lackawanna, which are but just beginning to pour down their mineral wealth to the markets upon the ocean, is incalculable. In 1820 the trade commenced, and 365 tons were sent to market, from the Lehigh. In 1825 the trade commenced upon the Schuylkill. The Schuylkill canal was then finished. There are now about 55 miles of railroads, branching from the canal to the several mines, and 45 miles of railroads under ground. About eighteen hundred cars are employed in conveying the coal from the mines to the canal, and between eight and nine hundred boats are used in conveying the coal to Philadelphia. The arrivals of vessels annually in the Schuylkill for the conveyance of Schuylkill coal to other States, will number about 3100. One hundred and seventy sloops, schooners and barges, arrived in two days last week. The Schuylkill mines will this year produce more than 500,000 tons, and the other anthracite mining districts about the same quantity, making 1,000,000 tons, of which about 800,000 will be exported to other States.

The coal trade is yet in its infancy and increasing rapidly. The use of anthracite coal in steamboats is taking the place of wood in the eastern waters, and will be used in the steamers of the Ocean as the cheapest and safest fuel. It is also coming into use in driving machinery and making iron. The mines upon the Swatara are capable of producing as much as the Schuylkill, and so are those of the Lehigh, the Wisconisco, the Shamokin and the Susquehanna; and the Schuylkill is capable of producing four times the amount that is now mined. Improvements will soon be completed in all these mining districts. What then, will be the annual worth of the anthracite coal of Pennsylvania that will be carried upon her public works!

But we have not only anthracite, but according to our State Geologist, more bituminous coal than all Europe. Our State canals intersect this bituminous coal field in all directions. All Europe contains about 2000 square miles of bituminous coal land. Pennsylvania has 10,000 square miles or 6,400,000 acres. It is estimated by our State Geologist that the great Western bituminous coal field of Pennsylvania contains *three hundred thousand millions of tons!*—Ten thousand times more than England, Scotland, Wales and Ireland!

This vast mineral wealth, without the public improvements, would have been dead capital for ever. According to the returns of the County Commissioners to the Secretary of the Commonwealth, there was mined in 1838, in Penn-

sylvania, west of the Allegheny mountain, more than 2,000,000 tons of bituminous coal! Not one ton of this reached the Atlantic market. About nine-tenths of it was consumed in domestic purposes at home, in furnaces and rolling mills, and in driving machinery. One-tenth, or 200,000 tons were shipped down the Ohio and the Mississippi. What this trade will be when the great valley is filled with population, wealth and refinement—when Western Pennsylvania becomes the manufacturing dependence of the Western States—can hardly be conjectured.

Nor is this great bituminous coal field entirely separated from the Atlantic. We have abundance of bituminous coal, the nearest in the United States, of any quantity, to Tidewater. The Virginia and Maryland mines on the Potomac, are from 180 to 200 miles from sloop navigation at Georgetown. The completion last year of the Tide-Water Canal from Havre-de-Grace, in Maryland, to the Pennsylvania canal at Columbia, has this year for the first time opened a navigation for the bituminous coal of the Juniata, and the West Branch of the Susquehanna, to the Chesapeake. It is estimated that the trade will this year reach 100,000 tons. The amount is unlimited which can be sent from these places on our canals to market. A railroad has been constructed 40 miles long, from the northern end of our coal basin to Corning, on the Chemung Canal of New York, leading into Seneca Lake.—There are now six locomotives and between 3 and 400 cars on this road, conveying coal from our Blossburg mines into the State of New York.

The quantity of iron produced in Pennsylvania, is equal to about one-third of the product of the whole Union. Her iron is superior in quality to any other. According to the remarks of the Hon. John Irvin in a late speech in Congress, we had in 1839, 210 charcoal furnaces producing 98,350 tons of pig metal, and 70,000 tons of this was converted into bar iron by forges and rolling mills. More than 15,000 workmen, together making 90,000 people with their families, consume annually 7,000,000 dollars worth of agricultural produce and merchandise. The number has increased greatly since by the establishment of anthracite furnaces.

The amount of bar and pig iron is now worth about 7,000,000 dollars. According to the returns to the Secretary of the Commonwealth, there was manufactured in 1838, 50,558 tons of castings in 36 counties valued at 5,805,599 dollars. Add estimated value of cast iron in 16 counties, at least 1,194,401 dollars, and the amount of bar, pig and cast iron in Pennsylvania is worth 11,000,000 dollars. A considerable amount of Jersey iron is made into castings and rolled into bars in Philadelphia, and a quantity of the pigs of Western Virginia, Ohio, and Kentucky are made into castings and rolled into bars at Pittsburgh.

Having now glanced at some of the sources of the great wealth of our State, we will enumerate the following items taken from the returns of the marshals in taking the late census, from the returns of the Commissioners to the Secretary of the Commonwealth, and other sources. The returns of the marshals are much too low, owing to a neglect of duty on their part, and the great reluctance on the part of the people to answer the questions put to them, it being circulated for party purposes, that it was a forerunner of direct taxation by the General Government. We have however taken these returns for our calculations, in most instances.—The amount of the products of the Dairy, and also the value of lumber annually produced in Pennsylvania is so manifestly untrue that we have taken the returns of the County Commissioners to the Secretary of the Commonwealth as our authority.

Value of Land in Pennsylvania including mines, (28,000,000 acres.)	\$700,000,000
Value of 300,000 houses	300,000,000
Value of barns, workshops, stores, taverns, forges and factories	200,000,000
1,700 miles of canals and railroads.	100,000,000

Total real estate.....\$1,300,000,000

Here is real estate to the amount of *thirteen hundred millions of dollars*. A tax of three per cent. upon it would

pay the \$35,000,000 of the public debt of Pennsylvania in a single year, and leave in the treasury \$4,000,000 besides. The personal property in the State we shall not undertake to estimate. We select the following items.

Neat cattle.....	1,146,418
Sheep.....	3,396,431
Swine.....	1,450,531
Horses and mules .....	338,565

Let us now look at the annual products of the State. We produce one sixth of all the wheat in the Union.

	Bushels.	Value.
Wheat .....	13,029,756 .....	\$13,029,765
Rye .....	6,293,447 .....	3,776,068
Corn .....	13,696,619 .....	6,846,309
Oats.....	18,038,447 .....	5,416,033
Buckwheat.....	1,971,928 .....	985,964
Barley.....	178,100 .....	106,650
Potatoes .....	8,626,923 .....	2,156,731
	61,855,250	\$32,317,521
Butter sold in 699 townships, lbs.	8,291,835	
Estimated sold in 361 townships..	3,808,165	
Butter consumed by producers ..	36,000,000	
	50,000,000	12,500,000
Cheese sold in 699 townships...	385,708	
Estimated sold in 361 townships	114,292	
Consumed by producers.....	1,500,000	
	2,000,000	1,500,000
Milk more than.....		1,000,000
Orchards and gardens more than.....		3,000,000
Beef sold in 699 townships, lbs..	35,535,186	
Estimated sold in 361 townships	14,464,804	
Consumed by producers, say three-fourths .....	150,000,000	
	200,000,000	14,000,000
Pork sold in 699 townships, lbs..	19,892,312	
Estimated sold in 361 townships	10,107,688	
Consumed by producers, say four-fifths: .....	120,000,000	
	150,000,000	10,500,000
Mutton and veal estimated.....		9,500,000
Poultry and fish, estimated.....		2,000,000
		11,500,000
Total amount of food.....		86,317,521
Hay, 1,199,963 tons.....		11,999,630
Wool 3,076,783 lbs.....		1,230,713
Lumber, pine sawed in 699 townships sold, feet.....	238,511,400	
Estimated in 361 townships....	161,488,600	
Estimated unsold.....	400,000,000	
	800,000,000	8,000,000
Unsawed timber, shingles and staves sent to market in 699 townships.....	342,068	
Estimated sold in 361 townships	157,932	
Estimated consumed at home ..	1,500,000	
	2,000,000	2,000,000
Other agricultural products .....		15,000,000
Total agricultural products in the State.....		124,547,864
Value of pig, bar and cast iron .....		14,000,000
Value of anthracite coal mined.....		5,000,000
Value of bituminous coal “ .....		4,000,000
Value of cotton, woollen, iron, leather, hats, engines and other manufactures—at least..		13,000,000
Annual products of Pennsylvania.....		\$160,547,864

Thus it will be seen that the annual products of the State exceed *one hundred and sixty millions of dollars*, one per cent. on which will pay the interest of our State debt.

The State has laid a tax, which is estimated by William B. Reed, an intelligent State Senator from Philadelphia, to produce annually, 1,800,000; more than enough to pay the interest on our debt. The tolls on our public works will this year exceed a million of dollars, which sum, will from year to year increase, and the dividends, from Bank Stock, Auctions, &c. will far more than defray the expenses of the government. Where, then, is the cause for alarm or despondency? Besides all this, the bill for the distribution of the proceeds of the public lands among the States *must pass* Congress, and Pennsylvania will be entitled to a tenth of the whole. The quantity of public lands to which the Indian title is extinguished, after deducting the reserves to the new States, and which remains unsold, exceeds 220,000,000 of acres, and the quantity to which the Indian title has not yet been extinguished exceeds 730,000,000.

To conclude, who does not feel proud of this picture of Pennsylvania? She has all the resources of a great nation within herself, for happiness in peace, for power in war. She is capable of maintaining 30,000,000 of people within her borders, of feeding and clothing them herself, and making the surrounding States her tributaries. Her water-power upon the Susquehanna and her hundred branches, upon the Delaware and Schuylkill and their tributaries, and upon the streams that make up the Allegheny and Monongahela, is capable of performing the labor of 400,000,000 men. What her steam power can do in her anthracite coal fields, and upon her 10,000 square miles of bituminous coal lands, let the scottlers at her credit calculate. She paid her semi-annual interest in specie on the first day of August, and this in the very crisis of the financial difficulties of the country, before our tax could be made available. A safer and better investment cannot be made than in the public stocks of Pennsylvania. They are based upon resources that will be permanent for ever. Those who depreciate them, are either ignorant of their value, or dishonest enough to speculate upon the timid. There are no people in the world who have so many advantages and so few burdens. The public debt is a trifle in this rich and powerful Commonwealth. We can pay it, and never feel the burden. Our population are industrious, thriving and honest.

Milwaukie Lead Trade.

The Lead trade of Milwaukie, says the Cleveland Herald, bids fair to be an important item of Commerce. The “diggings” are about eighty miles west of that place, and the mineral is already found to extend over about 25 miles of country, and large quantities are constantly being raised. The Sentinel says Mr. Corbin’s furnace smelts 5,000 lbs. per day, which is brought to Milwaukie and shipped to Buffalo and New York. From 20 to 30 teams now arrive weekly at Milwaukie loaded with lead, and return with goods, &c.

Catholic College at Fordham.

A Catholic College (St. Johns,) has just been established at Fordham (on the Harlem Railroad,) near New York. The situation is said to be beautiful, the mansion spacious and elegant, and the entire farm consisting of upwards of one hundred acres, composed of the richest land in the county of Westchester—the College itself being in the midst of a noble amphitheatre of majestic trees. This is the only Catholic College east of Maryland.

Oil Imported into the United States.

Importations of oil into the United States during the month of July 1841—Sperm Oil, 7,497 bbls. or 236,155 gals. Whale do. 15,270 bbls. or 481,005 gals. Ships 9—Barques 2—Brigs 3—Schr. 1.

## The General Bank Law of New York.

The following letter of the Comptroller, giving a new construction to an important feature of the General Bank Law, is of such general interest, that we have obtained a copy of it for publication. There is reason and justice in the grounds taken by Mr. Collier, and as Laws are intended to be based upon such premises the Comptroller's construction is in harmony with the objects and duties of Legislation:—

COMPTROLLER'S OFFICE, }  
Albany, 30th July, 1841. }

Dear Sir—I have examined the several acts relating to what are denominated the Free Banks, with reference to your application for what you call an individual bank and have to answer:

1. That I am of opinion the restriction in the third section of the act of 1840, which prohibits the commencing of banking until securities to the amount of \$100,000 shall have been deposited with the Comptroller, applies only as you contend, to an "association of persons," and not to an individual banker, and therefore, that the Comptroller would be bound under the general provisions of the act, to issue circulating notes to an amount equal to the current market value of the securities, although the securities deposited should not amount to \$100,000.

2. I find nothing in the act, however, that authorizes an individual banker, or "any person" as distinguished from an association of persons, to assume any fictitious name as the name of his bank, and I think there is manifest propriety in requiring, in such case, that the circulating notes delivered to such individual banker, should be in his individual, and not in an assumed name.

The obvious intent of the statute is, that the individual banker shall be held personally liable upon his circulating notes. They are, it is true, to be "in the form and similitude of bank bills," and to be countersigned, numbered and registered, and are to bear the stamp which is to indicate that they are secured in the manner contemplated by the act; but the holder of such notes, in case the bills are not paid or redeemed according to law, can resort for his indemnity not only to the securities deposited in the hands of the Comptroller, but to the maker or individual banker personally.—He is to "execute and sign the circulating notes" so as "to make them obligatory promissory notes, payable on demand at his place of business." How can the signature by his President and Cashier, and in the assumed name of a bank, be deemed a sufficient compliance with this provision?

If "any number of persons" associate for the purpose of banking, they are required to file a certificate in the office of the Secretary of State, and in the office of the Clerk of the county, specifying:

1. The "name assumed" to distinguish such associations.
2. The place where the business is to be carried on.
3. The amount of capital and number of shares.
4. The names and places of residence of the shareholders, and the number of shares held by each.
5. The period at which such association shall commence and terminate.

Such associations are to carry on the business of banking, as provided for by the act, and in the manner specified in their articles of association, and to choose one of their number as President and to appoint a Cashier.

All contracts made by such "association," and all notes and bills by them issued, must be signed by the President or Vice President, and suits by, or against them, are to be prosecuted in the name of the President, and a judgment against him, can only be enforced against the joint property of the association; and no shareholder of "any such association" is liable in his individual capacity, unless the articles of association signed by him, shall have so declared.

The annual statement too, required by the 26th section of the original act of 1838, applies only to such "associations" and not to individual bankers, although the act of the last session in terms includes individual bankers. Many other

of the restrictions and limitations can only be deemed applicable to associations.

The law of 1841, directing the manner of commencing suits against "associations," has no reference to individual bankers, and suits against the latter, upon their circulating notes, should, as I suppose, be commenced and prosecuted as against other individuals, and be enforced like any other private demand, the holders of the notes having, however, the additional remedy against the securities in the hands of the Comptroller—to which, perhaps, a Court of Chancery might compel him to resort in the first instance.

These several provisions, which are thus carefully incorporated in the several acts, having for their object the protection of the shareholders of "associations" from personal responsibility, and giving to bill-holders and creditors the means of ascertaining who the shareholders of the associations, acting under their "assumed names," are, and providing for the manner in which their notes are to be executed, and how suits by or against them are to be prosecuted, &c., and making no similar provision for the cases of individual bankers, carry strong evidence of the intention and understanding of the Legislature, that the name of the individual banker would appear, upon the face of his circulating notes, and that the circulating notes would bear his personal signature.

I am aware that a different construction has been put upon this act, and that circulating notes have been delivered from this department, to those who claimed to act as individual bankers, and who assumed the name of a bank; but having for myself, come to the conclusion as above, I must act in conformity to this construction, and so far at least as new applications are concerned, the circulating notes, hereafter to be issued, must be in the name of the individual banker. If a name is to be assumed, it can only be done by complying with all the requirements, and subject to all the restrictions by law applicable to "associations."

If you desire, therefore, to avail yourself of this law in obtaining circulating notes from this department, and to commence the business of banking, under its provisions, as an individual banker, the notes must be prepared and issued in your individual name and bear your individual signature.—You will then be entitled, upon depositing the securities contemplated by the act, to circulate notes equal to the market value of the securities deposited.

With great respect your obedient servant,

JOHN A. COLLIER.

*Albany Evening Journal.*

## The Old Dutch Church at Bergen in Ruins.

We learn from the Jersey City Advertiser that this ancient and honored edifice, in which the Van Horns, the Van Winkles, the Van Rippers, the Vreelands, and the other worthy descendants of the same old patriotic race, have been wont, for generations past, to raise their songs of devotion and praise, is unroofed, its walls dilapidated, its tall spire laid low, and its desk closed—but closed for a short season only—they have been called upon to "enlarge the place of their tent, and to stretch forth the curtains of their habitation," and a new, stately, and more commodious building, adequate to their large and growing congregation, will soon rise from the dust.

Since the year 1664, a church has existed at Bergen.—From that period to the year 1680, the worship was held in a private dwelling, but in that year the first temple of God in the County of Bergen, and probably the first in the Colony of New Jersey, was erected there. This was an octagonal building, and public worship was continued in it for the space of 93 years, in the Dutch language. In the year 1773, the building now in ruins was erected. And so regular and permanent has been the ministry there, that for the space of three months only, during the successive generations of 84 years past, has there been wanting a pastor to go in and out before the people.—*N. Y. Sun.*



Commerce and Navigation with France.

[The following important document was submitted to Congress by the President on the 4th inst.]

TREASURY DEPARTMENT, }  
August 2, 1841. }

SIR :—I have the honor to report to you, in reply to the resolution of the House of Representatives, requesting you “to lay before the House any communication from the French minister, to the Secretary of the Treasury, relating to the commerce and navigation with France, under existing treaties,” that a letter was received on the 17th ultimo, from the minister of France, a copy of which is annexed. The memorial therein referred to was in compliance with the request of the minister, transmitted to the Chairman of the Committee of Ways and Means, and is believed to be still in his possession.

I am, very respectfully, your obedient servant,

T. EWING,  
Secretary of the Treasury.

The President U. S.

WASHINGTON, }  
July 13, 1841. }

SIR :—I have received the letter in which you have done me the honor of noticing the memorial on the commerce and navigation of France and the United States, which I had put into your hands. I feel gratified to know that the facts stated in that memorial have appeared to you worthy of interest and clearly exposed; and, therefore, learn with the more regret, that they are not to be taken into consideration by the Committee of Ways and Means during the present session of Congress.

I had flattered myself with the hope that, by throwing some light on the questions submitted, at this time, to the House of Representatives, this memorial might induce that House to modify measures, which, should they be adopted as proposed, having a tendency probably to cause a sudden derangement in trade, would fail to answer the purposes of this Government, and unavoidably compel that of France, however reluctantly, to adopt measures for protecting its manufactures and commerce against injurious consequences.

This consideration alone induces me again to ask you, sir, to recommend the observations contained in the memorial to

the attention of the Committee of Ways and Means; my desire, as I am persuaded it is yours, being to foster and promote the friendly and equally advantageous relations subsisting between your country and mine.  
I have the honor to be, &c.

AD. DE BACOURT.

The Hon. THOMAS EWING,  
Secretary of the Treasury.

French Memorial

On the commerce and navigation between France and the United States.

The commercial relations between France and the United States are based upon the terms of the convention of the 24th of June, 1822, which does not regulate the general duties upon merchandise, but only the discriminating over-taxes, affecting on both sides, for the benefit of the national flag, the shipping of the adverse party. In relation to the respective products, no international stipulations provide for their rates of entry or exportation, and it has always been referred to the general legislation of both countries.

From these, however, are excepted French wines, on one part, and American long staple cotton on the other, concessions having been reciprocally made in their favor by the treaty of the 4th of July, 1831.

Excepting, then, these two articles, the situation, as regards the commercial stipulations, consists purely in the repeal of the discriminating duties imposed upon the rival flags, caused by the direct transportation of goods, and in the perfect equality of tonnage duties mutually established at the identical rate of 5 francs on one side and 94 cents on the other.

In Washington, as well as in Paris, the grievances expressed by the Federal Government, directly or through its diplomatic agents, have a double character.

Some rest on a system of general recrimination against the French legislation of customs, and on a comparison of the advantage derived by both countries in the course of their commercial relations. Others relate to a certain number of designated articles, such as cotton, rice, linseed, tea, indigo, and tobacco.

The United States participate in the general commercial movement of France in the following proportion, (amounts expressed in millions of francs:)

Years.	IMPORTATION.			EXPORTATION.		
	Out of U. S.	In the U. S.	Proportion.	Out of U. S.	To the U. S.	Proportion.
Average for 10 years, from 1827 to 1836..	480	64	13 per cent.	521	94	18 per cent.
1837 .....	569	87	15.3 “	514	58	11 “
1838 .....	657	101	15.4 “	659	120	18.2 “

Therefore, the Americans, instead of taking the fourth part (as asserted by their Government) of the whole of the French products, only take the sixth; and France, in return, receives from them more than the seventh part of her whole importation.

The year 1837 even shows a result entirely the reverse, as the United States only took the ninth part of the French

exportation, while France received from them more than the seventh of her whole importation.

If compared together, the relative amounts of this double movement of the French commerce with the United States, during the period of twelve years above stated, will be found to give the following results:

Years.	Amount of imports in millions of fcs.	Amount of exports in millions of fcs.	Dif. in favor of		Proportion per cent.			
			Imports.	Exports.	Of imports.	Of exports.	In favor of the U. S.	In favor of France.
Mean for 10 years, from 1827 to 1836..	64	94	....	30	68	100	....	32
1837 .....	87	58	29	....	100	66.6	33.3	....
1838 .....	101	120	....	19	84.2	100	....	15.8



It may be objected that the advantages which these tabular results seem to show in favor of France are still increased by the nature of the exchanged products, since those sent to France consist mostly of primitive materials, while France sends in return a large quantity of manufactured articles.— But it is important to notice, according to the above table, that this last circumstance has largely contributed to insure to the American exportation its almost constant and regular increase since 20 years; that the only decrease in this exportation was in 1831; that, in 1837, it was 33 per cent. larger than the French exportation; and that, from 1825 to 1838, it increased from 41 millions to 101—increase equal to 146 per cent.

During that time the French export has been submitted to the most abrupt variations, as well in increase as in decrease: from 1832 to 1833 it went from 58 millions up to 107, to fall down again, in 1837, from 158 millions to 58. The 158 millions to which it amounted in 1836, and the 120 in 1838, but particularly the first, may be considered as unusual, being in a great degree the result of the extraordinary impulse given to the commercial intercourse with Europe by the establishment of local banks in the different States of the Union, and the facility they afforded to commerce to get rid of their own paper. And this impulse may be considered as the source of all the losses sustained by French commerce in the liquidation of this unusual exportation. And at the present time, as in 1837, the re-action of this system, again felt in the United States, will create, and has already created, a notable reduction in their importations from France for 1839 and 1840. Notwithstanding these observations, if we take as a regular term of comparison the amount of French export for 1833, we see that, since 1825 to the present moment, it has only been increased from 94 millions to 120, that is, 28 per cent.

Moreover, the French exportation is diminishing, while that from America is in progress, and, though the difference in favor of France be still 15.8 per cent., the United States have in fact derived more profit than the French.

But it is important to mention one fact showing that the difference in favor of French exportation is far from being a disadvantage to the United States: it is, that most of the products shipped from France for the different ports of the Union, cannot be considered as forming part of the American imports from France.

Indeed, if we take the amount of the exportation of 1838, though a better one might be used to strengthen this argument, we would find that the consumption of French products, amounting to 120,000,000 francs, for a population of twelve millions of souls, would make the annual consumption of articles of French industry or production, by each inhabitant, equal to 12 francs, while the whole of the French exportation to Europe, which amounts to 293,000,000 of francs for a population of two hundred and thirteen millions of souls, makes the consumption of the same products by each inhabitant equal to only 1 franc 50 centimes.

The relative wealth of the American consumer does not afford a sufficient explanation of this very great difference. A sufficient reason for it cannot be found, either, in the state of American industry, which, in fact, is very far from standing out of competition with that of Europe; its annual production having been valued at no less than \$300,000,000. To account, then, for this enormous difference, it is necessary to admit, not only (what is otherwise ascertained) that part of the French products are merely deposited in the United States to be re-shipped for other countries of the same hemisphere, such as Mexico, Colombia, Central America, Venezuela, Equator, New Grenada, &c. &c., but, moreover, that it is done for a large amount. The Americans, in furnishing out of their own imports these nations, who possess but little or no marine, with an important part of the products of France, have, besides the profit of navigation, all the benefit of the commerce, of deposit, and of transit, and even the gain on commercial speculation. This state of things is very unfavorable to France, and annihilates the advantage expected by her as a consequence of her treaties of commerce and navigation with the new States of South America.

Another grievance expressed by the American Government, is based upon the assertion, that “a duty exceeding 50 per cent. is levied in France upon the primitive materials coming from the United States.”

It is easy to show how erroneous is this calculation.

In 1838, France exported to the United States about 16,000,000 of francs' worth of natural products, and about 104,000,000 of manufactured articles, amounting in all to 120,000,000.

The following list gives the principal articles, classed according to their importance:

*French exports to the United States.*

	Francs.
Silk goods. . . . .	51,672,428
Woollen goods. . . . .	16,478,948
Cotton do . . . . .	9,430,278
Linen do . . . . .	6,001,431
Wines, spirits, &c. . . . .	10,496,000
Worked kids and gloves. . . . .	6,165,000
Vitrification. . . . .	3,232,000
Hosiery. . . . .	2,211,000
Millinery. . . . .	1,751,000
Fruits. . . . .	1,220,000

In the same year, 1838, France received from the United States 85,000,000 of francs worth of material necessary to industry, and more than 30,000,000 worth of manufactured articles. Altogether 101,000,000 of francs.

The principal articles are as follow, according to their importance:

*Exports from the United States to France.*

	Francs.
Cotton. . . . .	78,825,000
Tobacco. . . . .	12,168,000
Palm-leaf hats. . . . .	2,514,000
Pot-ashes. . . . .	1,268,000
Whalebones. . . . .	1,006,000
Common timber. . . . .	823,000
Product of animals and skins. . . . .	851,000
Rice. . . . .	783,000

The duties paid on the whole importation amounting to 101,000,000 of francs, excepting a few more articles of no importance, were 9,817,275 francs.

So that the duties imposed by the French tariff upon American products, which are said to exceed fifty per cent., are in fact, according to the same tariff, less than 10 per cent.— And if the same calculation be applied to American cotton alone, it will be found that the duties paid upon it, amounting to the sum of 8,714,288 francs are not more than 11 per cent. of its value.

It is said also “that the products of America are generally submitted in France to an over-tax of 33 per cent. compared with the products of other countries, and that, while American commerce is thus treated by France so much more unfavorably than that of other nations, France is favored in the United States by a discriminating duty of 10 per cent. imposed upon articles coming in competition with the products of French industry.”

Far from there being even the slightest appearance of discrimination in the duties laid by the French tariff, with a view to give to the products of any nation the preference over those of America, the French legislation is, on the contrary, very favorable to the importation from that country.

For example: The rice from Carolina is charged with a smaller duty than the rice of any other country, even that of Piedmont, which (although for many reasons it might be favored) pays a duty of 6 francs, when the first only pays one of 2 francs and a half.

The duty on American cotton has been brought down to 20 francs for a hundred kilogrammes, without distinction of quality, while cotton from other countries remains submitted to duties of 25 and 30 francs.

American pot-ashes pay 15 francs, and those from Russia 18.

No distinction is made between the flour, the timber, the dye-wood coming from any ports of Europe, and those im-

ported from transatlantic ports, and the duties are of no importance.

It is the same thing for turtle-shell, on which the duties are regulated by the quality, varying from 17½ francs to 25 and 50.

The same for the following articles:

	Francs.	Centimes.
Whalebone .....	30	00
Fish oil.....	8	00
Honey.....	5	00
Wax not worked.....	2	00
Hides.....	4	00
Palm leaf hats, fine.....		75
Palm leaf hats, coarse.....		25

But these articles being almost all that constitutes the direct exportation from the United States to France, it is easy to judge whether the French tariff deserves or not all the accusations charged against it. It is sufficient to add, that all the difference of duties which was established by it in favor of French navigation has now turned, since the convention of 1822, to the benefit of the American flag.

As to the objection representing the discriminating duty of 10 per cent. levied in the United States on Chinese silks, as being especially established in favor of French industry, and as relating to a certain number of other foreign products brought in competition with those of France to the American market, it is proper to state, that this duty only weighs upon one article—the silks imported into the United States from countries beyond the Cape of Good Hope; that it cannot be said to be favorable to France alone, as it is also profitable to the exportation of silks from all parts of Europe without distinction; that it has been established less with a view of an European or a French interest, than for the protection of certain cotton articles manufactured in the United States, and which could not, without this duty, support the competition with common Chinese silks.

Therefore, the advantage, which France whose legislation of customs is so favorable to the direct importation from America, may find on the American market, are but the result of measures taken without regard to her sole interest, however useful they may prove to her; or the price of concessions at least equivalent. Among these may be especially classed the advantage accorded to French wines by the treaty of the 4th of July, 1831, for it has been bought with the renunciation (stipulated in that treaty) to the French claims relating to the 8th article of the treaty of the 30th of April, 1803, for the cession of Louisiana.\* And by the promise since realized, to bring down the duty upon long staple cotton to equal that paid upon the other kind of cotton directly imported on French or on American vessels.

This favor, even notwithstanding the price doubly paid for it by France, has become more nominal than effective in consequence of certain measures since adopted by the Federal Government.

Among the special grievances expressed by the United States against France, we have already mentioned those against the duties levied on *cotton, rice, linseed, tea, indigo, and tobacco*.

It is easy to reduce these recriminations to their proper value.

*Cotton.*—The difference of 5 francs in the duties, which is complained of by the Federal Government, is but a just compensation for the greater value of American cotton, compared with that of Turkey and Egypt; this difference has not at all been established with a view to protect one kind more than the other, and the results show it.

Though submitted to higher duties, (the difference being formerly of 25 francs,) the importation of American cotton has increased in fifteen years (1818 to 1832) from 7,659,400 kilogrammes to 27,383,000; and since the royal ordinance of the 16th of June, 1832, has reduced the difference to 5 francs, the amount of the American cotton importation has

increased in six years 15,396,000 kilogrammes; that is, of more than one-third, having gone up in 1838 to 43,780,000 kilogrammes, while from 1825 to 1838 the importation of Egyptian cotton went down from 7,665,000 to 2,362,178 kilogrammes.

But a most important fact to notice is, that the difference of duties in favor of Egyptian cotton exists only when brought in French ships; and of this the Federal Government has no right to complain, when the equality of duties stipulated in the convention of 1822 bears exclusively on the importation, under both flags, of international products. As to the duties levied on Egyptian cotton when imported in vessels of other nations, even of Egypt itself, they are established in such a way as to constitute a premium of five francs in favor of the same product from America when brought in American ships.

It must be said, also, that certain circumstances—some permanent, some temporary—such as, on one part, the competition created by American planters against each other, the progress of cultivation, and, according to General Cass, the progressive diminution of prices which must be the consequence of it; and, on the other, the unusual state of Egypt, and the want of extension in the cultivation of that country, paralyzed, as it is, by a monopoly leaving no hope for a decrease in the prices to be equivalent to that which must take place in America—all these circumstances must necessarily insure to the United States the largest share in the supply of cotton for the French market. The truth of this is fully ascertained by the following results:

The proportion of American cotton used in the French consumption is estimated at about.....	87.
That from the East at .....	10.
And that from other countries, including places of deposit, at.....	3.
	<hr/> 100 <hr/>

This shows how little the Americans have to complain of the competition from Egyptian cotton, and how little reason there should be to take away the entirely nominal advantage which is left to this cotton, since (to realize the promise made in the treaty of 1831) the duty levied on American cotton has been reduced from 40 to 20 francs.

*Rice.*—As regards this article, the American complaints are really incomprehensible—the tariff being altogether favorable to the American produce.

Rice coming from the ports were first shipped pays—

	Francs.	Centimes.
If from the United States.....	2	50
If from European ports.....	4	00
If from places of deposit.....	6	00
If from Piedmont, direct by land..	6	00
If on foreign vessels.....	9	00

This renders it evident that the Carolina rice is greatly protected, if compared with the rice from other countries, even when brought on French vessels.

*Linseed.*—This article has never been of any importance in the commerce of France with the United States; moreover, the duty of 5 francs formerly levied on this produce, no matter what country it came from, (excepting, however, a small quantity brought from Russia for seed, which was slightly favored,) has been reduced by the law of the 2d of July, 1836, to 1 franc when imported on French or American vessels, and to 1 franc and a half when brought on all other foreign ships, from any country without distinction.

*Tea and Indigo.*—These articles are also of little consequence in the commerce of the two countries. In 1838, the quantity of tea brought to France from the United States was but 1,000 kilogrammes, the whole value being less than 20 thousand francs. Of indigo, the importation does not exceed 6 or 7 hundred kilogrammes a year.

*Tobacco.*—The complaints addressed by the United States against the monopoly exercised by the French Administration, touch directly the right possessed by all nations

\* This article insured to French shipping all the advantages given to the most favored nation in all the ports of the Territory given up.

of regulating as they choose the elements of their internal revenue. If such pretensions were admitted upon one point, there would be no means, no reason, to repel them on any other; to-day the subject is the monopoly of tobacco, to-morrow it would be municipal taxes, &c., and the internal economy of France, as well as all means calculated to act directly on the conditions and regulations of exotic products, would become the basis or the pretext of constant and endless aggressions.

In principle, these complaints must be expressly declined. But, even laying aside this peremptory consideration, the complaint of American planters cannot sustain discussion.

The duty imposed upon foreign tobacco by the monopoly being after all, in whatever form it may be levied, but a duty of consumption, the legitimacy of which is acknowledged, what remains to be examined is, how far it restrains the consumption of foreign products, in the interest of which it is incriminated.

The nature of the tobacco manufactured by the “*Régie*” being intended for different classes of consumers, the inferior qualities are composed of the indigenous product, while all the superior qualities are manufactured with the mixture of American tobacco. The increase of prices created by the duties has no restricting action on the habits of rich consumers, for whom the tobacco from the United States is particularly designed. There is, then, in fact, no loss; for these qualities constitute almost all the American product imported. As to the inferior quality which is produced in the United States as well as in France, it would be difficult to conceive how the Americans could claim from France a protection for their interest, when that same protection would oblige France to the sacrifice of her own interest at home.

A proof that there is no loss\* for the United States is, that the consumption of their tobacco, which forms the four-fifths of the whole of the French imports of foreign tobacco, is in progress; the amount of the importation of 1837, which was the largest one, having been exceeded by that of 1838, as will be seen in the following table, which gives the import in France of foreign tobacco, as well from the United States as from other countries, from 1828 to 1838:

Years.	From the United States.	From other countries.
	Kilogrammes.	Kilogrammes.
1828	952,851	87,232
1829	1,000,421	340,703
1830	4,645,288	184,668
1831	270,162	1,086
1832	2,053,936	2,389
1833	4,498,224	34,394
1834	2,792,180	129,518
1835	2,227,965	333,989
1836	2,747,819	337,799
1837	4,828,222	1,135,815
1838	5,290,750	1,229,819

It is said that the American tobacco does not find under the French legislation sufficient conditions of equality for its sale. It is hardly necessary to answer this assertion otherwise than by noticing that the agents of the French Administration, coming on the American market with the buyers from all countries, pay the same prices as the others, and necessarily contribute to maintain these prices by their competition, especially when it is known that the wants of

\* To illustrate that fact, we have ascertained that the consumption of American tobacco was far from attaining in France, at the time when that branch of commerce was free, the amount to which it has now reached. During the period from 1806 to 1810, under the free “*Régime*,” the average quantity introduced every year was but 2,742,029 kilogrammes, while that average, from 1826 to 1835, went up to 3,242,883 kilogrammes, and that, in the ten years between 1830 and 1840, it reached 6,249,627 kilogrammes. It must be remarked, besides, that the free “*Régime*” existed during the French empire, when France had a much more extended territory, and a population much larger than at the present time.

France, which can be estimated in advance, increase every year in an obvious proportion, with the exception of a slight variation, which is in no way a consequence of the monopoly.\* But still we can show that the monopoly, far from restraining the sale of American tobacco in the French consumption, is, on the contrary, favorable to it. If we suppose for one moment that this monopoly be abandoned, it must be compensated by the creation of new custom-house duties, causing the tobacco to be placed on an equal footing with all other foreign articles of consumption, and consequently submitting the supply to all the chances of commercial competition. Tobacco would then be like *tea*, *pepper*, *cinnamon*, *indigo* &c. The American planter would find on the French market numerous competitors opposing his prices and conditions, instead of the present constant and regular issue offered to him by the enlightened preference given to him by the administration. Moreover, the extinction of the monopoly would enable the French planter to produce indigerous tobacco, diminishing so much of the consumption of foreign product. In all conscience, can the American planter wish for such a change?

Finally, a last complaint is made by the Government of the United States, relating to the navigation between the two countries.

Its substance may be expressed in the following words: “In regard to the navigation, the tonnage duty of 5 francs, viz. 94 cents, established by the convention of 1822, upon the United States vessels in France, and upon French vessels in the United States, throws into the hands of third nations, all the benefit of the transportation between the two countries, because the flags of those nations paying but 4 francs 12 centimes, consequently derive a profit of 88 centimes, and enjoy in the United States the advantage of a free entry.”

To answer this complaint, it will be sufficient to designate the consequences of the convention of the 24th of June, 1822, the stipulations of which, regulate the relations of navigation between France and the United States. But, for a better appreciation of the effects of the convention on navigation, it may be useful to glance over the effects produced, in this respect, by the different regulations at previous times.

Three distinct periods have preceded the one regulated by the convention of 1822.

The first period, during which the French flag paid an over-tax in America, while the United States flag paid none in France, was that which preceded the law of the 28th of April, 1816. If, during that period, the United States enjoyed alone the profit of the transportation between the two countries, it was owing not only to the regulations then established on both sides, but especially to the state of war and the laws of blockade. Therefore, no comparison can be based

\* It will probably be useful to annex here the following extracts from a circular, addressed March 30, 1841, by J. H. McHenry, to the voters of the second congressional district of the State of Kentucky:

“Agreeably to a statement which I procured from one of the oldest tobacco dealers in Henderson county, the average prices for 100 pounds of tobacco at Henderson,” were as follows:

In 1820.....\$3 25	In 1831.....\$3 00
1821..... 3 00	1832..... 3 00
1822..... 3 50	1833..... 3 75
1823..... 3 25	1834..... 3 50
1824..... 3 50	1835..... 6 00
1825..... 4 75	1836..... 4 00
1826..... 2 50	1837..... 5 00
1827..... 2 25	1838..... 8 00
1828..... 2 00	1839..... 6 00
1829..... 2 50	1840..... 7 00
1830..... 2 75	

The average price for five years, including 1824, is 3 50, of eight years from 1825 to 1832, both inclusive, is \$2 84, and of the remaining eight years, is \$5 40. During the second period our high tariff system was then in operation, and the price of tobacco was then at its lowest ebb.

upon the period of the French empire; and the Americans were wrong to consider then, as an acquired right, the exclusive advantage of transportation, when they possessed it only *in fact* and as a neutral power. As for the 2 years, 1814 and 1815, the French commercial marine was not yet organized; they cannot, then, be taken as a term of comparison.

The second period, that which immediately followed the law of the 28th of April, 1816, is the only one that can be taken as a starting point, for with it began a more regular order of things. It established, in principle, a difference of duties in favor of the French flag for the importation of foreign merchandise, not including, however, in this system, the French exports proper. Under that “*regime*” of discriminating duties, the share of France in the transportation increased yearly. This share, which was nothing previous to that period, amounted at the end of 1817, to *one-sixth*

of the whole transportation; in 1818 it was *one-fourth*; and in 1819 nearly *one-third*.

The third period was that of the reprisals, by which France was obliged to answer the aggressions of the United States, (the last 5 months of 1820, the year 1821, and the first 9 months of 1822.) The year 1821 is the only one offering complete results. During that year the share of France was a little more than one-seventh, that of the United States a little less than two-sevenths, the remnant to the other flags.

During the period regulated by the convention of 1822, France obtained the first year (1823) but a little less than 1-20. But the event of a war with Spain must have had an influence on this result. The year 1824, free from it, shows a slight increase.

The following table shows the relative shares of both countries and that of the other flags, in tonnage, between France and the United States, from 1825 to 1838:

Share of each flag in the general tonnage.

Years.	Amount of the general tonnage.	PROPORTION PER CENT.			
		French.	American.	Others.	Aggregate.
1825 .....	106,552	13.	87.	....	100
1826 .....	151,250	10.4	89.	0.6	100
Mean for ten years, from 1827 to 1836.....	172,000	12.	86.	2.	100
1837 .....	210,338	17.5	78.8	4.7	100
1838 .....	232,131	13.	85.	2.	100

So that, in a tonnage, which in 1838 is nearly three times what it was in 1816, having increased from 86,842 tons to 232,136, the proportion which can be considered as the usual share allowed to France by the convention of 1822, is but 12 to 13 per cent., that is about  $\frac{1}{8}$  of the whole transportation; the remnant belonging almost entirely to the United States.

This convention has, therefore, made the situation of the French flag worse than it was under the influence of the law of 1816, and even worse than in the time of the reprisals, though the object of this convention was as it was said in its preamble, *to regulate the relations of commerce and navigation of the two nations, in a manner reciprocally advantageous and satisfactory*. But this is the more worthy of consideration, because the sacrifices imposed by this treaty to French navigation did not find any compensation, that could be taken in account, in the condition made to French products, since this condition was not a consequence of the stipulations of 1822, and was only, as it has been proved before, the price of subsequent concessions, at least equal to, or merely the result of, general measures taken without regard to French interests.

Yet there is another element of the question of navigation which it is important not to neglect, in order to get a just estimate of the loss sustained by France in this respect; it is the nature of the products entering in the mutual commerce, and the share that seems to be assigned from the bulk of these products to each party in the respective navigation, notwithstanding the reciprocity which is the aim of the convention.

The Federal Government pretended that the tonnage required for the transportation of American products to France was *four times* greater than the tonnage required for the transportation to America of an equal value of French goods, even including wine and brandy.

The French Administration, convinced that this estimate could not be correct, and wishing to know exactly the real difference existing in this respect between the products of both countries, ascertained from numerous and decisive sources of information that the difference in favor of American products was in the proportion of  $2\frac{3}{4}$  to  $1\frac{1}{4}$ .

In this supposition, the relative incumbrance resulting

from the bulk of the French products requiring but a little less than a third of the tonnage, viz: about 31.3 per cent., the share of France in the transportation should not exceed the equivalent.

Therefore, even leaving the discussion on the ground adopted by the Federal Government, the heaviness of the losses sustained by the French navy would still be unquestionable; for the share of France in the general movement of transportation being but from 12 to 13 per cent., there would be still for her a constant loss of from 18 to 19 per cent. *on an equal value of exchanged products*. To this loss should also be added the portion of tonnage that ought to be secured to France for the surplus of value of her exports over her imports.

From this we can judge of the spirit of inaccuracy which characterizes the grievances before mentioned, and the carelessness brought in the examination of the facts by which they are supported. But another thing, quite as strange as the complaints addressed to France, is the motive given to them, when based upon an alleged encroachment on the transportation by the flags of other nations, whose share in this transportation has not out-reached, (as shown in the above table,) since fifteen years, the insignificant limit of two per cent. Moreover, the cause assigned to this encroachment is no more correct than the assertion itself, and, in this respect, it is equally erroneous to suppose that the American vessels pay 88 centimes more in France than the vessels of other nations, (English excepted,) for, to the 4 francs 12 centimes of ordinary tonnage duties paid by other nations, must be added all the expenses for expedition, permits, passports, and pilots, &c., which exceed for foreign ships the sum required from *French* or *American* vessels, as both enjoy the same privileges.

If we recapitulate the several results which we have just had occasion to state, they bring us to the conclusion which we have yet to offer.

1st. *As for commerce*.—During the last twelve years from 1827 to 1838, the general movement of merchandise between the United States and France has been equal to 1,946 millions of francs, that is an annual average of 162 millions.

	During 12 years from 1827 to 1838.	Annual mean.	Proportion per cent.
Share of America, or imports into France .....	828 millions	69 millions	42.6
Share of France, or exports from France .....	1,118 "	93 "	57.4
Surplus in favor of exports .....	290 "	24 "	14.8

But this difference of 290 millions, an annual mean of 24 millions, say 14 per cent., does not constitute a disadvantage for the United States; for, as before stated, a large amount of French products are brought to the United States to be re-shipped for other countries of both Americas. And this amount, which is at least sufficient to destroy the balance against the United States, is a certain source for them of very important profits. Therefore, a fact, which can be as-

serted with truth and without exaggeration, is, that as regards the *exchanges*, there is no loss on the part of the United States.

2d. *As for navigation.*—During the same 12 years the aggregate tonnage between France and the United States (coming in and going out united) has amounted to 2,161,000 tons, giving an annual mean of 180,000 tons.

	During the 12 years from 1827 to 1838.	Annual mean.	Proportion per cent
	Tons.	Tons.	
Share of America.....	1,841,000	153,000	85.2
Share of France.....	266,000	22,000	12.3
Share of other nations .....	54,000	4,500	2.5
	2,161,000	180,000	100.

If we value in the above proportion the difference existing in the capacity of the respective products, the share of France, in the general tonnage, ought to amount, *for an equal value of products*, to a little more than one-third, that is, about..... 31.3 per cent.

But the French products, having exceeded in value the American products by an annual mean of 24 millions, or 14 per cent., must have insured a proportional increase of tonnage to the French flag. Calculated in said proportion this increase would be..... 4.5 per cent.

Therefore, the share which France ought to have obtained should be equal to..... 35.8 per cent.

If compared with the one, she has obtained in fact..... 12.3 per cent.

It will show an annual mean loss for her of..... 23.5 per cent.

This makes, on 180,000 tons, a loss of.... 42,300 tons.  
And if, from these 42,300 tons we deduct... 3,000 tons.

Taken out of 4,500 forming the mean annual share of other nations, (because their share is about two-thirds of the going out, and one-third of the coming in,) we will find..... 39,300 tons to be the amount which to the detriment of the French flag, formed the annual profit of the Americans during these 12 years.\*

3d. *As for the legislation.*—In France, no sort of over-tax upon merchandise;  
Entire reciprocity for the flags;  
Privilege given to American products, compared with similar products, not coming from French colonies or from India;  
Advantage to all products coming from the United States over the products of India, not brought directly on French bottom.  
The true result of this is, as has been seen,

Equality of advantages in the exchange of products; absorption, almost total, of the navigation, by the American flag; such is the situation.

Such being the state of things, ought the United States to express any reproach, or threaten to raise the duties on French products?

The answer, it seems, is easy to give. And all that remains to be added to the considerations exposed in the present note, is, that France, in permitting, as she has done until now, the convention of 1822 to subsist, (this convention giving, *in fact*, the seven-eighths of the transportation, in the intercourse, to the American flag,) has sacrificed the interest of her navigation to the advantage which her commerce might derive from the progressive importance of the markets opened to her products, of all kinds, in the United States. The commercial relations between the two nations can be maintained, in a manner useful to both, in this sort of balance between the advantages granted to the American navigation, and those devolved to French products. But any modification altering the commercial advantages, which, *alone*, have caused the concessions made by France to the navigation of the *Union*, and which, *alone*, can allow the continuation of these concessions, would evidently authorize the French Government to withdraw favors which, given at her detriment, would have no more compensation.

The French Government will, then, await with calmness the result of the discussions which the tariff may raise in Congress. But it would see itself, although with regret, bound to adopt defensive measures, should this result alter the present state of the commercial relations between France and the United States.

Washington, February 1, 1841.

Since the completion of the above remarks, new publications have afforded the means of collecting more recent information in regard to the year 1839.  
According to the report of the Secretary of the Treasury, on the commerce and navigation of the United States, for the year 1839, (Doc. No. 251, 26th Con., 1st Sess. p. 274 ) the commerce of the United States with France presents for the commercial year ending September 30, 1839, the following general results :

\* The same calculation for 1838 shows a loss for the French flag of 46,089 tons,



Exports from the United States to France ....\$18,230,949  
Exports from France to the United States ....\$32,531,321

These amounts, the correctness of which is published in the United States, can give an idea of the mass of merchandise going out of each of the two countries destined for the other; but can these amounts give a true appreciation of the value and origin of the commercial exchanges between the two countries?

It is necessary to remark on that point that, in the thirty-two millions of exportation from France to the United States, are included the numerous foreign products which only pass through France: such as the silks from Switzerland and Italy; and even those which come from the ports of the North sea are, for instance, carried from Hamburg to Havre; and merely touch the soil of France to be almost immediately, after their landing, re-shipped in American packets.

For the Doc. No. 251, published by the Treasury Department, no mention whatever is made of this circumstance, although, in the same document, the exportation from the United States is carefully divided into two distinct parts: *domestic produce and foreign produce*. For France, says this document, the exportation from the United States of *foreign produce* amounted to \$2,264,841; the exportation of *domestic produce* amounted to \$15,966,108. This last amount, *alone*, is then to be considered as forming, at the exportation from the United States, the American part of the commercial exchanges between the two countries.

The question now is to know what will be the French part in the exportation from France to the United States.—Will it be correctly indicated by the sum of \$32,531,321 stated in the American document? Evidently not.

This amount gives the whole value of all the products brought from France; it must therefore, like the amount of the American exportation, be divided into two distinct parts—*domestic produce and foreign produce*. On this subject the Treasury document is altogether silent; but where this document says nothing, the official report of the French customs will furnish the means of making a proper division of the French exportation to the United States. The French statement does not entirely correspond, it is true, with the American Treasury report; but it cannot be otherwise, as the two reports embrace a different period of time. In the statement of France the fiscal year runs from the 1st of January to the 31st of December, 1839, while, in the American document, the same fiscal year runs from the 30th of September, 1838, to the 30th of September, 1839.

In the year 1839 a recrudescency took place in the general commercial movement between the two countries, and especially in the exportation from France to the United States. The last quarter of 1839, which in the French statement is a part of the fiscal year 1839, is the very one during which the exportation of American products is seen to stop, whilst the importation of French products in the United States becomes very extensive. In the American system, this quarter will be part of the fiscal year 1840, particularly favorable to the American exportation, and during which the balance in the general commerce amounted to 27 millions of dollars in favor of the United States.

It is, then, impossible to draw a close comparison between the documents of the two countries, but, in the different statements of the French report for 1839, it is easy to find the proportion existing in the exportation from France to the United States, between the French and the foreign products. The French document (page 23) makes the exportation from France to the United States amount, in 1839, to 204 millions francs; and at page 25 it states that out of this there was but 120 millions of French products.

It is evident that the proportion looked for in the exportation from France to the United States, between the *domestic* and the *foreign products*, has been like 54 to 46—otherwise, that 54 per cent. only of the whole products sent from France to the United States are *French products*, when 46 per cent. are *foreign*.

This fact once acknowledged, let us go back to the report of the Secretary of the Treasury and complete the indications given it.

This report says that, during the year 1839, the general exportation from the United States to France amounted to \$18,230,949, of which 12½ per cent. were

foreign produces.....	\$ 2,264,841
And 87½ per cent. were American produces.....	15,966,108
	<hr/> \$18,230,949 <hr/>

The general exportation from France to the United States was \$32,531,321, of which	
46 per cent. in foreign products.....	\$14,964,408
And 54 per cent. in French products.....	17,566,913
	<hr/> \$32,531,321 <hr/>

In recapitulating, we find that the exportation in products of the soil or industry of the United States to France has been.....	\$15,966,108
And that the exportation in products of the soil or industry of France to the United States has been.....	17,566,913
	<hr/>

Leaving a balance of..... \$1,600,805  
in favor of France, instead of one of \$14,300,372, which at first seems to be the true one.

Such a result may appear surprising to the Americans, who have, in general, but a slight idea of the importance of the commerce of transit carried on between the ports of France and those of the United States, on American ships; and this even for articles bearing the most successful competition with the products proper to France. The increase of this commerce of transit is such as to command the minute attention of those who wish to appreciate correctly the general results of the particular commerce of France with the United States.

We shall dwell for a moment on one point only of this question, and endeavor to reduce to its proper value the principal objection raised, especially lately, in the United States against the French silks.

"The importation to the United States of French silks," it is said, "amounted, in 1839, to 15 millions of dollars.—These silks are admitted free of duty; it is an immense advantage given by the United States to France, who profits exclusively by this free entry. Therefore, whether this exemption of duties be maintained for French silks, or whether in the new American tariff these silks be submitted to a small duty, they will not cease to be the object of a special favor accorded to them alone; and France should acknowledge such an advantage by the concession of analogous favors in her tariff."

Such it seems to us, is the objection in its strongest light; and, as it has been repeated so often since a few years, let us examine with what foundation.

It is evident that those who brought forward such an objection, and who support it, are not informed of the fact that the silks coming from France to the United States are not *all* French; or it is evident that they are not aware in what proportion the foreign silks enter into the French exports to the United States. For it is well ascertained that, during the year 1839, 55½ per cent. of the silks exported from France to the United States, where they were received for French silks, were the product of other countries, and from which France derived but a slight profit on the price of their transportation through her territory, at the same time that the Americans made a profit on the freight of their packets which were exclusively employed in that trade.

Thus, in this importation of 1839, which is stated in the report of the Secretary of the Treasury of the United States to amount to \$15,000,000, from September, 1838, to September, 1839, and in the report of the French customs to 104,391,161 francs from January, 1839, to January, 1840, France can only acknowledge as being French products 44½ per cent. of the whole sum.\*

\* In order to give an idea of the importance of the exports brought from Switzerland, in transit, through the territory of France, it is sufficient to say that, (as far as silks are con-

This fact, leads us, naturally, to examine if the silk question can be considered as one affecting France *alone*, as the Americans pretend it does, when they require an acknowledgment of France *alone* for the consumption of all European silks entering the country.

In the Doc. No. 251, 26th Con., 1st Sess., p. 24, at the bottom of the column headed "*Silks from other places than India*," will be found a total amounting to \$19,030,785, for silks imported in the United States. In that sum, \$15,191,661 are stated to be the amount of the French products included in that category. If we deduct from this, the 55½ per cent. constituting the part of foreign silks brought from France merely in transit, and upon which she made no commercial profit, \$6,800,000 only will be left to represent the part of the products actually French. Finally, then, in the importation of European silks, France only comes in for less than 37½ per cent. It is evident, then, that France is not the *only country* deriving profit from the exemption of duty on silks. And it is doubly wrong to consider the discriminating duties laid on Chinese silks as a favor accorded to the *French silks exclusively*. It has been proved above, (p. 6,) this discriminating duty had been established to favor the manufactories of the New England States; and we prove now, it seems to us, that if this duty favors the silks coming from this side of the Cape of Good Hope, the French silks are far from being alone in the enjoyment of this advantage.

The proportion of the commerce of transit, in the French exportation to the United States being thus ascertained, let us establish the true commercial position of the two countries, by repeating that, during the American fiscal year 1839,

The exportation from the United States to France in domestic produce amounted to	\$15,966,108
And that the exportation from France to the United States in domestic produce amounted to .....	17,566,913
Leaving a balance in favor of France of ....	\$1,600,805

We will now endeavor to show that the profits made upon the freight by the Americans, modified this commercial balance in such a way as to create a positive reciprocity in the advantages derived by each of the two countries from their commercial intercourse.

The transportation of exchanged products between France and the United States employed in 1839, (see pages 274 and 275 of the report of the Secretary of the Treasury, document 251,) 223,552 tons. Out of these, 182,766 tons belonged to the United States, and 40,786 only to France and other countries.

Estimating the freight at \$12 a ton, the United States would have realized a profit of \$2,193,192, and France, together with other nations, one of \$489,432, leaving a difference of \$1,703,760, which amply covers the balance, purely commercial, of \$1,600,805, standing against the United States. If the freight was thought too high at \$12 a ton, let it be rated at \$11—the difference would still be \$1,561,780 in favor of the United States. Were it even brought

cerned,) during the year 1839 the French <i>entrepôts</i> have received from Switzerland, to be re-exported, 87,239 kilogrammes of silk goods, exceeding in value francs 9,500,000	
And 197,572 kilogrammes of silk ribbons, exceeding in value. ....	23,500,000
	francs 33,000,000

These amounts are taken from the general statement of the commerce of France for 1839, pages 497, 493, 499, (*tableau general du commerce de France pour 1839*.)

It is curious to notice that while the statements for 1839, on the commerce of transit, show an exportation from Switzerland to France of 197,572 kilogrammes of silk ribbons, exceeding the value of 23,500,000 francs, the same statements also show an exportation from France to the United States of 196,083 kilogrammes of silk ribbons, exceeding the value of 23,000,000 francs coming from foreign countries.

down to \$10 a ton, the product of navigation being \$1,419,800, it would yet be sufficient to render insignificant a definitive balance of \$181,005 in favor of France, especially in a year so exceptional as that of 1839.

We must however notice that the rate of 1½ per cent. paid at New Orleans during the last two years for freight to the ports of France being taken as an average, and the rate of \$20 per hhd. of tobacco, paid for freight to the same destination, being also taken as an average of last year's prices, for 7,000 hhd. of Kentucky tobacco which did not employ more than 4,500 tons, permit us to suppose that there is no exaggeration in estimating the freight at \$12 a ton.

It will not be useless, before we end this note, to refute an objection often raised against the first part of it during the last session of Congress. It was contended that the facts stated in this document ought not to have been introduced before an American Congress, because they evidently came from a French source.

It will be observed that this is a very singular objection: that truth should not be admitted because it arises from a French source. Is not truth always useful, whatever source it may come from?

Although this last observation is sufficient to reduce the above objection to its proper value, we will add that the statements contained in this note have not been presented in a view hostile to the United States, and exclusively useful to France. On the contrary, the intention has been to convince all liberal and enlightened minds that the commercial relations now existing between France and the United States are established on a footing of reciprocity equally advantageous to both countries. There is certainly nothing hostile in this. There is nothing hostile either in adding the expression of a desire that no alteration should take place in the state of those relations.

Far from pretending to restrain the sovereign right possessed by the United States to regulate their internal legislation, France in this very document claims the same right for herself.

France says to the United States: "I have, on many occasions, proved to you that I was a useful friend, always ready to fulfil his promises; our commercial relations are now equally advantageous to both of us; avoid then making any alteration to their basis, for I might find myself obliged, in order to satisfy the complaints of those who would suffer from the changes in your legislation, to adopt, much to my regret, measures prejudicial to your interest."

We leave it to impartial minds to decide if this is not the language of a sincere and faithful ally.

WASHINGTON, June 1st, 1841.

The Secretary of the Treasury, in his report of the 2d of this month, having proposed to Congress that a duty of 20 per cent. *ad valorem* should be imposed on all articles mentioned in the 4th section of the Compromise Act of the 2d of March, 1833, it becomes necessary to add a few words in order to state exactly the new situation in which France would be placed if the proposition of the Secretary of the Treasury was to be adopted by Congress.

By the article 7 of the convention of the 4th of July, 1831, between France and the United States, the United States have taken the engagement that the wines of France should be imported, during 10 years, into the Union on a more favorable footing than they previously were. In return of this favor, France not only abandoned the claims which she had to make on account of the 8th article of the treaty for the cession of Louisiana, but consented to bring down the duties levied on long-staple cotton so as to make them equal to the duties imposed on other cotton.

On the 26th of August, 1840, the United States concluded with Portugal a treaty, the third article of which leaves no doubt that the advantages accorded to French wines in the United States are to cease from February next.

This state of things, so unfavorable to the French commerce, would be so much aggravated by the adoption of the plan proposed by the Secretary of the Treasury, that it would become impossible for the French Government to resist, at the same time, the complaints raised by the French ship-

owners against the convention on navigation of 1822; those of the wine dealers against the consequences of the treaty with Portugal; and those of the French manufacturers against the duties imposed upon their products. The French Government would find itself, it is here repeated with the most sincere regret, in the absolute necessity of setting aside the convention of 1822, and to rescind the reduction of 50 per cent. granted to the long-staple cotton of the United States, since the execution of the treaty of July, 1831.

Whatever may be the price attached by France to the preservation of her good relations with the United States, the French Government could not prevent the withdrawal of the concessions with which France paid the advantages offered to her commerce in the markets of the Union, so soon as these advantages would not only be withdrawn by the contended alterations in the American legislation, but even replaced by measures prejudicial to the interests of the French products imported into the United States.

June 10, 1841.

#### C I R C U L A R .

ATTORNEY GENERAL'S OFFICE, }  
Philadelphia, August 10, 1841. }

*To the Several Deputy Attorneys General, of the respective counties of the Commonwealth of Pennsylvania.*

It has recently been communicated to me, from various parts of the State, that sundry corporations and private persons have, in open defiance of the acts of Assembly on the subject, been engaged in issuing and circulating within this Commonwealth, notes, checks, bills or tickets of several denominations, from twelve and a half cents, to five dollars, in amount, designed to circulate as a "paper circulating medium." And in addition to this, I am assured, that the small notes, bills, checks, &c., issued by banks, other corporations, and private individuals in neighboring States, are introduced and extensively circulated among the citizens in several of our border counties.

These violations of the law render it my imperative duty to call your attention again to the letter of the Governor, and the circular which I addressed to you in pursuance of it on this subject, dated the 10th day of October, A. D., 1839, of both which documents, copies are hereto annexed. The acts of Assembly of the 22d day of March, 1817, and of the 12th day of April, 1828, and of the 23d day of February, 1830, to which reference is made in said circular, need not be now re-published, for I presume you are perfectly familiar with their provisions.

Not even the shadow of reason can be alleged to exist now, (whatever might once have been pretended) to excuse the violation of these salutary laws. Ample provision has been made by the General Assembly of this Commonwealth, for any supposed necessity that may have arisen requiring the issue of notes of a less denomination than five dollars, and there is therefore no ground to apprehend the slightest inconvenience, from a speedy and thorough suppression of these small notes which have been put into circulation contrary to law. If we expect to retain, for the purposes of business, the specie now in the hands of the people, even for transactions of a less amount than one dollar, we must rigidly and rigorously persevere in the enforcement of the penalties against those who manufacture and circulate a depreciated and worthless substitute. Small notes of the several denominations of twelve and a half, twenty-five, and fifty cents, are rapidly insinuating themselves into the place of specie in those counties where they have been unfortunately introduced, and unless checked will soon expel it entirely from general circulation. However contrary to law, and depreciated in nominal value they may be, it is exceedingly difficult to rid the public of them, when once they have acquired a foothold. It is the part therefore of wisdom and of duty, to strike at those who issue and circulate them, at once and in earnest.

The instructions contained in the circular of the 10th of October, 1839,\* are for this purpose emphatically repeated;

and every Deputy Attorney General is hereby enjoined and directed, on and after the 10th day of September next, to institute the proper proceedings pointed out by the acts of Assembly above mentioned, against all corporations and persons who have issued and not redeemed, or shall continue to issue or put and keep in circulation, any bills, notes, checks, tickets, or other evidences of debt, prohibited by said acts of Assembly. I have given ample time, for those who have violated the law, to recall their illegal issues, and to prepare for its faithful observance. Should they fail to do so, however, a few well selected examples will, I trust, accomplish the desired end, and restrain all similar violations in future.

The first proceedings should be directed against those who have set the law at naught, by *issuing* notes, &c., in despite of its prohibition, and also against those who have been chiefly instrumental in the introduction of small notes from other States, and in giving them current among our citizens. Let these classes of wholesale offenders be effectually reached, and our great object with the rest of the community will be readily attained.

It is my sincere desire to avoid as far as possible all unnecessary appeals to the judicial tribunals for the vindication of the laws, but when the substantial interests of the public are as deeply involved as they are in this instance, when solemn acts of Assembly are totally disregarded, and their salutary penal injunctions treated as empty and idle menaces to be derided at will, there is no alternative left; the law must be rigidly and inflexibly enforced, or those who are entrusted with this enforcement, and shrink from the post of duty, will justly incur the condemnation or the contempt of the people. They must be content to be branded as faithless or pusillanimous, devoid of either honesty or firmness. I am sure no gentleman to whom this circular is addressed, will hesitate an instant in assuming the labor and responsibility which it imposes, or falter in the performance of his duty, while a single unlawful note remains to be suppressed.

I am, yours, &c. respectfully,

OID F. JOHNSON,

Attorney General.

#### Bituminous Wood.

It is stated in a recent number of Silliman's Journal that a large deposit of bituminous wood has been discovered at Port Hudson, on the Mississippi river. The village is situated on a bluff sixty or seventy feet high. This bluff reposes, as the whole country does, on a thick bed of blue aluminous clay, which forms the bed of most of the water courses and wears very gradually by the action of the water. The upper surface of the clay at that place is considerably below the high water mark.

The bluff has been long falling in from being undermined by springs, which run out above the blue clay, and by the action of the current of the Mississippi; but the blue clay does not wear away near so fast, and for this reason it extends some distance beyond the base of the bluff. It seems that upon this shelf the Mississippi has made a considerable deposit, of the common kind, containing a great many fragments, and sometimes entire logs; after this deposit took place, a considerable mass of earth must have fallen, covering the former one. The remarkably low water, together with the removal of the superincumbent earth, forming a new landing.

The smaller logs are often entirely bituminated and changed into a glossy black coal, in which no trace of fiber can be perceived; still the formation must be very recent, for in the most perfectly bituminized pieces there are frequent marks of the axe, looking as though it were done but yesterday. The limbs are very much flattened, but otherwise their external appearance is the same as usual in the species, which can easily be determined to be oak, walnut, hickory, &c.—The larger logs and fragments have undergone the transformation in various degrees, some being of a soft and spongy texture. Many are in a state of perfect coal, at one end, or one side, and have undergone no change except softening at the other,

\* See Vol. I, p. 266.

## MESSAGE

OF THE PRESIDENT OF THE UNITED STATES,

Returning, with his objections, the Bill to incorporate the Fiscal Bank of the United States, August 16, 1841.

*To the Senate of the United States :*

The bill, entitled "An act to incorporate the subscribers to the Fiscal Bank of the United States," which originated in the Senate, has been considered by me, with a sincere desire to conform my action in regard to it, to that of the two Houses of Congress. By the Constitution it is made my duty, either to approve the bill by signing it, or to return it with my objections to the House in which it originated. I cannot conscientiously give it my approval, and I proceed to discharge the duty required of me by the Constitution—to give my reasons for disapproving.

The power of Congress to create a National Bank to operate *per se* over the Union, has been a question of dispute from the origin of our Government. Men most justly and deservedly esteemed for their high intellectual endowments, their virtue, and their patriotism, have, in regard to it, entertained different and conflicting opinions. Congresses have differed. The approval of one President has been followed by the disapproval of another. The people at different times have acquiesced in decisions both for and against. The country has been and still is deeply agitated by this unsettled question. It will suffice for me to say, that my own opinion has been uniformly proclaimed to be against the exercise of any such power by this Government. On all suitable occasions, during a period of twenty-five years, the opinions thus entertained have been unreservedly expressed. I declared it in the Legislature of my own native State. In the House of Representatives of the United States it has been openly vindicated by me. In the Senate Chamber, in the presence and hearing of many who are at this time members of that body, it has been affirmed and re-affirmed, in speeches and reports there made, and by votes there recorded. In popular assemblies I have unhesitatingly announced it; and the last public declaration which I made, and that but a short time before the late Presidential election, I referred to my previously expressed opinions as being those then entertained by me; with a full knowledge of the opinions thus entertained, and never concealed, I was elected by the people Vice President of the United States. By the occurrence of a contingency provided for by the Constitution, and arising under an impressive dispensation of Providence, I succeeded to the Presidential office.

Before entering upon the duties of that office, I took an oath that I would "preserve, protect, and defend the Constitution of the United States." Entertaining the opinions alluded to, and having taken this oath, the Senate and the country will see that I could not give my sanction to a measure of the character described, without surrendering all claim to the respect of honorable men—all confidence on the part of the people—all self-respect—all regard for moral and religious obligations—without an observance of which, no Government can be prosperous, and no people can be happy. It would be to commit a crime which I would not wilfully commit to gain any earthly reward, and which would justly subject me to the ridicule and scorn of all virtuous men.

I deem it entirely unnecessary at this time to enter upon the reasons which have brought my mind to the convictions I feel and entertain on this subject. They have been over and over again repeated. If some of those who have preceded me in this high office entertained and avowed different opinions, I yield all confidence that their convictions were sincere. I claim only to have the same measure meted out to myself. Without going further into the argument, I will say that, in looking to the powers of this Government to collect, safely keep, and disburse the public revenue, and incidentally to regulate the commerce and exchanges, I have not been able to satisfy myself that the establishment, by this Government, of a bank of discount, in the ordinary acceptation of that term, was a necessary means, or one demanded by propriety, to execute those powers.

What can the local discounts of the bank have to do with the collecting, safe-keeping and disbursing of the revenue? So far as the mere discounting of paper is concerned, it is quite immaterial to this question whether the discount is obtained at a State Bank or a United States Bank. They are both equally local—both beginning and both ending in a local accommodation. What influence have local discounts, granted by any form of bank, in the regulating of the currency and the exchanges? Let the history of the late United States Bank aid us in answering this inquiry.

For several years after the establishment of that institution it dealt almost exclusively in local discounts, and during that period, the country was, for the most part, disappointed in the consequences anticipated from its incorporation.

A uniform currency was not provided, exchanges were not regulated, and little or nothing was added to the general circulation; and in 1820, its embarrassments had become so great that the directors petitioned Congress to repeal that article of the charter which made its notes receivable everywhere in payment of public dues. It had, up to that period, dealt to but a very small extent in exchanges, either foreign or domestic; and as late as 1823, its operations in that line amounted to a little more than \$7,000,000 per annum; a very rapid augmentation soon after occurred, and in 1823 its dealings in exchanges amounted to upwards of \$100,000,000, including the sales of its own drafts; and all these immense transactions were affected without the employment of extraordinary means.

The currency of the country became sound, and the negotiations in the exchanges were carried on at the lowest possible rates. The circulation was increased to more than \$22,000,000, and the notes of the Bank were regarded as equal to specie all over the country; thus showing, almost conclusively, that it was the capacity to deal in exchanges, and not in local discounts, which furnished these facilities and advantages. It may be remarked, too, that notwithstanding the immense transactions of the Bank in the purchase of exchange, the losses sustained were merely nominal; while, in the line of discounts, the suspended debt was enormous, and proved most disastrous to the Bank and the country. Its power of local discount has, in fact, proved to be a fruitful source of favoritism and corruption, alike destructive to the public morals, and to the general weal.

The capital invested in banks of discount in the United States, created by the States, at this time exceeds \$350,000,000; and if the discounting of local paper could have produced any beneficial effects, the United States ought to possess the soundest currency in the world, but the reverse is lamentably the fact.

Is the measure now under consideration, of the objectionable character to which I have alluded? It is clearly so, unless by the 16th fundamental article of the 11th section it is made otherwise. That article is in the following words:

"The directors of the said corporation shall establish one competent office of discount and deposit in any State in which two thousand shares shall have been subscribed, or may be held, whenever, upon application of the Legislature of such State, Congress may by law require the same. And the said directors may also establish one or more competent offices of discount and deposit in any Territory or District of the United States, and in any State, with the assent of such State; and when established, the said office or offices shall be only withdrawn or removed by the said directors prior to the expiration of this charter, with the previous assent of Congress.

*Provided*, in respect to any State which shall not, at the first session of the Legislature thereof held after the passage of this act, by resolution, or other usual legislative proceeding, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of the said State shall be thereafter presumed: And provided, nevertheless, That whenever it shall become necessary and proper for carrying into execution any of the powers granted by the Constitution, to establish an office or offices in any of the States whatever, and the establishment thereof shall be directed by law, it shall be the duty of the said directors to establish such office or offices accordingly."



It will be seen that by this clause the directors are invested with the fullest power to establish a branch in any State which has yielded its assent; and, having once established such branch, it shall not afterwards be withdrawn except by order of Congress. Such assent is to be *implied*, and to have the force and sanction of an actually expressed assent, "provided in respect to any State which shall not, at the first session of the Legislature thereof held after the passage of this act, by *resolution or other usual legislative proceeding*, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of said State shall be thereafter presumed." The assent or dissent is to be expressed *unconditionally at the first session of the Legislature by some formal legislative act*; and, if not so expressed, its assent is to be *implied*, and the directors are thereupon invested with power, at such time thereafter as they may please, to establish branches, which cannot afterwards be withdrawn, except by resolve of Congress.

No matter what may be the cause which may operate with the legislature, which either prevents it from speaking, or addresses itself to its wisdom, to induce delay, its assent is implied. This iron rule is to give way to no circumstances—it is unbending and inflexible. It is the language of the master to the vassal—an unconditional answer is claimed forthwith; and delay, postponement, or incapacity to answer, produces an implied assent, which is ever after irrevocable. Many of the State elections have already taken place, without any knowledge on the part of the people, that such a question was to come up.

The Representatives may desire a submission of the question to their constituents preparatory to final action upon it, but this high privilege is denied; whatever may be the motives and views entertained by the Representatives of the People to induce delay, their assent is to be presumed, and is ever afterwards binding, unless their dissent shall be unconditionally expressed at their first session after the passage of this bill into a law. They may by formal resolution declare the question of assent or dissent to be undecided and postponed, and yet, in opposition to their express declaration to the contrary, their assent is to be implied. Cases innumerable might be cited to manifest the irrationality of such an inference.

Let one or two in addition, suffice. The popular branch of the Legislature may express its dissent by an unanimous vote, and its resolution may be defeated by a tie vote in the Senate; and yet the assent is to be implied. Both branches of the Legislature may concur in a resolution of decided dissent, and yet the Governor may exert the *veto* power conferred on him by the State Constitution, and their legislative action be defeated; and yet the assent of the legislative authority is implied, and the directors of this contemplated institution are authorized to establish a branch or branches in such State, whenever they may find it conducive to the interest of the stockholders to do so; and having once established it, they can, under no circumstances, withdraw it, except by act of Congress. The State may afterwards protest against such unjust interference—but its authority is gone.

Its assent is implied by its failure or inability to act at its first session, and its voice can never afterwards be heard. To inferences so violent, and, as they seem to me, irrational, I cannot yield my consent. No court of justice would or could sanction them, without reversing all that is established in judicial proceeding, by introducing presumptions at variance with fact, and inferences at the expense of reason. A State in a condition of duress would be *presumed* to speak, as an individual, manacled and in prison, might be presumed to be in the enjoyment of freedom. Far better to say to the States boldly and frankly, Congress wills, and submission is demanded.

It may be said that the directors may not establish branches under such circumstances; but this is a question of power, and this bill invested them with full power to do so. If the Legislature of New York, or Pennsylvania, or any other State, should be found to be in such a condition as I have supposed, could there be any security furnished against such a step on the part of the directors? Nay, is it not fairly to be presumed that this proviso was introduced for the sole

purpose of meeting the contingency referred to? Why else should it have been introduced? And I submit to the Senate, whether it can be believed that any State would be likely to sit quietly down under such a state of things?

In a great measure of public interest their patriotism may be successfully appealed to, but to infer their assent from circumstances at war with such inference, I cannot but regard as calculated to excite a feeling of fatal enmity with the peace and harmony of the country. I must, therefore, regard this clause as asserting the power to be in Congress to establish offices of discount in a State, not only without its assent, but against its dissent; and so regarding it, I cannot sanction it. On general principles, the power and control, deprives the transactants of all pretence to compact between them, and terminates as we have seen, in the total abrogation of freedom of action on the part of the States.

But further; the State may express after the most solemn form of legislation, its dissent, which may from time to time thereafter be repeated, in full view of its own interest, which can never be separated from the wise and beneficent operation of this Government; and yet Congress may, by virtue of the last proviso, overrule its law, and upon grounds which, to such State, will appear to rest on a constructive necessity and propriety, and nothing more.

I regard the bill as asserting for Congress the right to incorporate a United States Bank, with power and right to establish offices of discount and deposit in the several States of this Union, with or without their consent, a principle to which I have always heretofore been opposed, and which can never obtain my sanction. And waiving all other considerations growing out of its other provisions, I return it to the House in which it originated, with these my objections to its approval.

JOHN TYLER.

WASHINGTON, August 16, 1841.

#### Effects of the Drought.

The appearance of the country between this city and Lebanon is melancholy in the extreme. So excessive is the drought, that the color of the fields is precisely the same as at mid-winter. Upon what sustenance the farmers support their cattle and stock generally, we are at a loss to imagine, since few or none were in sight from the road. The fine market gardens in the vicinity of this city are almost totally ruined, and thus many thousand dollars lost to their industrious proprietors. A country so thoroughly parched up we have never seen before, and fervently trust we never may again.—*Troy Whig*.

#### Quick Work.

Two persons near Waynesburg, Pennsylvania, recently undertook to mow two acres of grass for a wager. One accomplished the task in two hours and fifty-five minutes, and the other in three minutes more.

#### The Spotted Fever.

Fifteen or twenty cases of this terrible disease have occurred in Trumble county, Ohio, during the summer, nearly all of which proved fatal in the course of 24 hours.

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No. 8.

## FISCAL BANK.

The following is the Bank Bill as it passed both Houses of Congress and received the Presidential Veto.

### AN ACT

To incorporate the subscribers to the Fiscal Bank of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a Fiscal Bank of the United States shall be established in the District of Columbia, with a capital of thirty millions of dollars, divided into three hundred thousand shares, of one hundred dollars each share. One hundred thousand shares shall be subscribed for by the United States, and the residue of the said capital may be subscribed and paid for by individuals, companies, corporations, or States, the said individuals being citizens of the United States, and the said companies and corporations being of the several States, or of these United States, or Territories thereof, in the manner hereinafter specified. But Congress reserves to itself the power of augmenting the capital of the said bank, at any time after the first of January, 1851, by authorizing the addition thereto of a sum not exceeding twenty millions of dollars, divided into shares as aforesaid, which may be subscribed for, at not less than their par value, by the United States, or by any State, corporation, company, or individuals, in the manner directed by law: *Provided*, That the United States shall not subscribe for more than one-third of the said additional capital.

Sec. 2. *And be it further enacted*, That subscriptions for the sum of twenty millions of dollars, towards constituting the capital of the said bank, shall be opened on the first Monday of September next, at the following places, that is to say: at Washington, in the District of Columbia; at Portland, in the State of Maine; at Portsmouth, in the State of New Hampshire; at Boston, in the State of Massachusetts; at Providence, in the State of Rhode Island; at Hartford, in the State of Connecticut; at Burlington, in the State of Vermont; at New York, in the State of New York; at New Brunswick, in the State of New Jersey; at Philadelphia, in the State of Pennsylvania; at Wilmington, in the State of Delaware; at Baltimore, in the State of Maryland; at Richmond, in the State of Virginia; at Lexington, in the State of Kentucky; at Cincinnati, in the State of Ohio; at Raleigh, in the State of North Carolina; at Nashville, in the State of Tennessee; at Charleston, in the State of South Carolina; at Savannah, in the State of Georgia; at New Orleans, in the State of Louisiana; at Indianapolis, in the State of Indiana; at Mobile, in the State of Alabama; at St. Louis, in the State of Missouri; at Springfield, in the State of Illinois; at Detroit, in the State of Michigan; at Natchez, in the State of Mississippi; and at Little Rock, in the State of Arkansas. And the said subscription shall be opened under the superintendence of five commissioners at Washington city, and of three commissioners at each of the other places aforesaid, to be appointed by the Secretary of the Treasury, who is hereby authorized to make such appointments, and shall continue open every day, from the time of opening the same, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, for the term of twenty days, exclusive of Sundays, when the same shall be closed; and immediately thereafter, the commissioners, or any two of them, at the respec-

tive places aforesaid, shall cause two transcripts or copies of such subscriptions to be made, one of which they shall send to the Secretary of the Treasury, one they shall retain, and the original they shall transmit, within seven days from the closing of the subscriptions as aforesaid, to the commissioners at Washington city. And on the receipt of the said original subscriptions, or either of the said copies thereof, if the original be lost, mislaid, or detained, the commissioners at Washington aforesaid, or a majority of them, shall immediately thereafter convene, and proceed to take an account of the said subscriptions; and if more than the amount of twenty millions of dollars shall have been subscribed, then the said last mentioned commissioners shall deduct the amount of such excess from the largest subscriptions, in such manner as that no subscription shall be reduced in amount while any one remains larger: *Provided*, That if the subscription taken at either of the places aforesaid, shall not exceed two thousand shares, there shall be no reduction of such subscriptions, nor shall, in any case, the subscriptions taken at either of the places aforesaid, be reduced below that amount. And, in case the aggregate amount of the said subscriptions shall exceed twenty millions of dollars, the said last mentioned commissioners, after having apportioned the same, as aforesaid, shall cause lists of the said apportioned subscriptions to be made out, including in each list the apportioned subscription for the place where the original subscription was made, one of which lists they shall transmit to the commissioners, or one of them, under whose superintendence such subscriptions were originally made, that the subscribers may thereby ascertain the number of shares to them respectively apportioned as aforesaid; and in case the aggregate amount of the said subscriptions made during the period aforesaid, at all places aforesaid, shall not amount to twenty millions of dollars, the subscriptions to complete the said sum shall be and remain open at Washington city, aforesaid, under the superintendence of the commissioners appointed for that place; and the subscriptions may be then made by any individual, company, corporation, or State, for any number of shares, not exceeding in the whole the amount required to complete the said sum of twenty millions of dollars.

Sec. 3. *And be it further enacted*, That it shall be lawful for any individual, company, corporation, or State, when the subscriptions shall be opened as heretofore directed, to subscribe for any number of shares of the capital of the said bank, not exceeding two thousand five hundred shares; and that the sums so subscribed shall be payable and paid in bullion, in gold or silver coin of the United States, or in foreign coins, made and declared current in the United States, by the act of Congress of the 25th of June, 1834, entitled "An act regulating the value of certain foreign silver coins in the United States," and by the act of the 28th of June, 1834, entitled "An act regulating the value of certain gold coins within the United States," at the following rates, to wit: the sovereign of Great Britain at ninety-four cents and sixty-two hundredths of a cent for each pennyweight; the pieces of forty and twenty francs of France, at ninety-two cents and ninety-two hundredths of a cent for each pennyweight; the doubloon and parts of Spain, at eighty-nine cents and fifty one hundredths of a cent for each pennyweight; the doubloon and parts of Mexico, at eighty-nine cents and fifty one hundredths of a cent for each pennyweight; the doubloon and parts of Peru, at eighty-nine cents and seventy-one hundredths of a cent for each pennyweight; the doub-

loon and parts of Chili, at eighty-nine cents and seventy-one hundredths of a cent for each pennyweight; the doubloons of Bogota, Columbia, at eighty-nine cents and ninety-two hundredths of a cent for each pennyweight; the doubloons of Popayan, Columbia, at eighty-eight cents and sixty-eight hundredths of a cent for each pennyweight; the doubloons of 1837 and 1838 of New Grenada, at ninety cents and two hundredths of a cent for each pennyweight; the doubloons of Bolivia, at eighty-nine cents and ninety-two hundredths of a cent for each pennyweight; the doubloons of Central America, at eighty-five cents and seventy-nine hundredths of a cent for each pennyweight; the doubloons of La Plata, at eighty-four cents and twenty-four hundredths of a cent for each pennyweight; the johannes and half of Portugal, at ninety four cents and forty-six hundredths of a cent for each pennyweight; the crown (of 5,000 reis) and a half since 1828, of Portugal, at ninety-four cents and forty-six hundredths of a cent for each pennyweight; the price (of 5,400 reis) of 1838 of Brazil, at ninety-four cents and forty-six hundredths of a cent for each pennyweight; and in foreign silver coins at the value fixed upon them severally in the act first above named, or in Treasury notes of the United States, or in certificates of stock issued under the act entitled "An act authorizing a loan not exceeding the sum of twelve millions of dollars," approved July 21st, 1841. And the payments made in treasury notes or in the said certificates of stock shall be paid and received at the par value thereof, including all interest which shall have accrued thereon on the day of such payment. And the payments of the said subscriptions shall be made and completed by the subscribers respectfully at the time and in the manner following, that is to say; at the time of subscribing there shall be paid ten dollars on each share in bullion, in gold or silver coin, in the Treasury notes of the United States, or in the said certificates of stock, and twenty-five dollars more in bullion, in coin, Treasury notes, or certificates of stock, as aforesaid, at the expiration of three calendar months from the first Monday in September, 1841; and there shall be paid the further sum of twenty-five dollars on each share in bullion, in gold or silver coin, Treasury notes, or certificates of stock, as aforesaid, in eight calendar months from the first Monday in September, 1841; and forty dollars more in bullion, in coin, Treasury notes, or certificates of stock, as aforesaid, at the expiration of twelve calendar months from the said first Monday.

Sec. 4. *And be it further enacted*, That if, in consequence of the apportionment of the shares in the capital of the said bank among the subscribers, in the ease and in the manner hereinbefore provided, any subscriber shall have delivered to the commissioners, at the time of subscribing, a greater amount of bullion, or gold or silver coin, Treasury notes, or certificates of stock than shall be necessary to complete the payments for the share or shares of such subscribers, apportioned as aforesaid, the commissioners shall only retain so much of the said bullion, or gold or silver coin, Treasury notes, or certificates of stock, as shall be necessary to complete such payments; and shall forthwith, return the surplus thereof, on application for the same, to the subscribers lawfully entitled thereto. And the commissioners, respectively, shall deposit the bullion, or gold and silver coin, Treasury notes, and certificates of stock, by them respectively received as aforesaid, from the subscribers to the capital of said bank, in some place of secure and safe keeping, so that the same may and shall be specifically delivered and transferred, as the same were by them respectively received, to the Fiscal Bank of the United States, or to their order, as soon as shall be required after the organization of the said bank. And the said commissioners appointed to superintend the subscriptions to the capital of the said bank, as aforesaid, shall receive a reasonable compensation for their services, respectively, and shall be allowed all reasonable charges and expenses incurred in the execution of their trust, to be paid by the bank out of the funds thereof.

Sec. 5. *And be it further enacted*, That no certificate of stock, or any subscription, or any right thereto, shall be transferred except by operation of law, until after the whole amount of the second instalment shall have been fully paid, and

every contract or agreement made or entered into for the transfer of such stock, or for the holding the same in trust for the use of any other person, except the person in whose name it is subscribed in the books, or for whose use it is therein expressed, shall be wholly and absolutely null and void in law. That it shall be lawful for the president, directors, and company of the said bank, to sell and transfer for gold and silver coin, or bullion, Treasury notes and certificates of stock subscribed to the capital of the said bank, as aforesaid.

Sec. 6. *And be it further enacted*, That at the opening of the subscription to the capital stock of the said bank, the Secretary of the Treasury shall subscribe, or cause to be subscribed, on behalf of the United States, the said number of one hundred thousand shares, amounting to ten millions of dollars, as aforesaid; which said subscriptions, so made by the Secretary of the Treasury, as aforesaid, shall be paid in bullion, in gold or silver coin, or in stock of the United States, bearing interest at the rate of five per centum per annum; and if payment thereof, or of any part thereof, be made in public stock bearing interest as aforesaid, the said interest shall be payable half yearly, to commence from the time of making such payments on account of the said subscription; and the principal of the said stock shall be redeemable in any sums, and at any periods, which the Government shall deem fit, after the expiration of fifteen years. And the Secretary of the Treasury shall cause certificates of public stock to the amount of ten millions of dollars, to be prepared and made in the usual form, and shall at his discretion, and whensoever he shall think fit, sell the same for gold or silver coin, or bullion, at not less than the par value thereof, or he shall pay over and deliver three millions five hundred thousand dollars of the same to the said bank, on the first day of January, eighteen hundred and forty-two, and two millions five hundred thousand dollars on the first day of May, and four millions of dollars of the same on the first day of September, in the same year; which said stock it shall be lawful for the said bank to sell and transfer for gold and silver coin, or bullion, at their discretion. And if the Secretary of the Treasury shall sell the whole, or any part of the stock, he shall pay to the said bank gold and silver coin, or bullion, to the nominal amount of stock so sold in like instalments; *Provided, nevertheless*, That if the amount of stock which may be offered for the subscription of individuals, States, or corporations, shall not be fully taken prior to the twentieth of December next, and the deficiency do not exceed one-third, the residue shall be subscribed for by the Secretary of the Treasury on behalf of the United States, and shall be sold by him as soon thereafter as he can obtain its par value; and for which the Secretary of the Treasury is hereby authorized to issue stocks of the United States, in manner as before provided.

Sec. 7. *And be it further enacted*, That the subscribers to the said bank, their successors and assigns, shall be, and they are hereby, created a corporation and body politic, by the name and style of "the Fiscal Bank of the United States," and shall so continue until the first day of June, in the year one thousand eight hundred and sixty-two; and by that name shall be, and are hereby made able and capable in law, to have, purchase, receive, possess, enjoy, and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of whatsoever kind, nature, and quality; and the same to sell, grant, demise, alien, or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all State courts having competent jurisdiction, and in any circuit court of the United States; and also to make, have, and use a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution, such by-laws and ordinances and regulations as they shall deem necessary and convenient for the government of the said corporation, not being contrary to the constitution thereof, or to the laws of the United States; and generally to do and execute all and singular the acts, matters, and things which to them it shall or may appertain to do; subject, nevertheless, to the rules, regulations, restrictions, limitations and provisions hereinafter prescribed and declared

Sec. 8. *And be it further enacted*, That, for the management of the affairs of the said corporation, there shall be nine directors, three of whom shall be annually appointed by the President of the United States, by and with the advice and consent of the Senate, and six of whom shall be annually elected at the banking house in the city of Washington, on the first Monday of January in each year, by the qualified stockholders of the capital of said bank, other than the United States, and by a plurality of votes then and there actually given, according to the scale of voting hereinafter prescribed: *Provided always*, That no member of Congress, or of the respective State Legislatures, and no officer or contractor of the Federal or State Governments, shall be a director in said bank or branches, and that no person being a director in the Fiscal Bank of the United States, or any of its branches, shall be a director of any other bank; and should any such director act as a director in any other bank, it shall forthwith vacate his appointment in the direction of the Fiscal Bank of the United States; and the directors so duly appointed and elected shall be capable of serving, by virtue of such appointment and choice, from the first Monday in the month of January of each year, until the end and expiration of the first Monday in the month of January of the year next ensuing the time of each annual election, to be held by the Stockholders as aforesaid. And the board of directors annually, at the first meeting after their election in each and every year, shall proceed to elect one of the directors to be president of the corporation, who shall hold the said office during the same period for which the directors are appointed and elected as aforesaid: *Provided, also*, That the first appointment and election of the directors and president of the said bank shall be at the time and for the period hereinafter declared: *And provided also*, That, in case it should at any time happen that an appointment or election of directors, or an election of the president of the said bank, should not be so made as to take effect on any day when, in pursuance of this act, they ought to take effect, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful at any other time to make such appointments, and to hold such elections, (as the case may be,) and the manner of holding the elections shall be regulated by the by-laws and ordinances of the said corporation; and until such appointments or elections be made, the directors and president of said bank for the time being shall continue in office: *And provided, also*, That in case of the death, resignation or removal of the president of the said corporation, the directors shall proceed to elect another president from the directors as aforesaid; and in case of the death, resignation, or absence from the United States, or removal of a director from office, the vacancy shall be supplied by the President of the United States, or by the surviving directors, as the case may be; but the President of the United States alone shall have power to remove either of the directors appointed by him as aforesaid.

Sec. 9. *And be it further enacted*, That as soon as the sum of ten dollars on each share, in bullion, gold, or silver coin, Treasury notes, or certificates of stock, shall have been actually received on account of the subscriptions to the capital of the said bank, (exclusively of the subscriptions aforesaid on the part of the United States,) notice thereof shall be given, by the persons under whose superintendence the subscriptions shall have been made at the city of Washington, in at least two newspapers printed in each of the places (if so many be printed in such places respectively) where subscriptions shall have been made; and the said persons shall, at the same time, and in the like manner notify a time and place, within the said city of Washington, at the distance of at least thirty days from the time of such notification, for proceeding to the election of six directors, as aforesaid; and it shall be lawful for such election to be then and there made. And the President of the United States is hereby authorized, during the next session of Congress hereafter, to nominate, and, by and with the advice and consent of the Senate, to appoint three directors of the said bank, whether they be stockholders or not, anything in the provisions of this act to the contrary notwithstanding; and the persons who shall be elected and appointed, as aforesaid, shall be the first directors

of the said bank, and shall proceed to elect one of the directors to be president of the said bank; and the directors and president of the said bank so appointed and elected, as aforesaid, shall be capable of serving in their respective offices, by virtue thereof, until the end and expiration of the first Monday of the month of January next ensuing the said appointments and elections; *Provided*, That it shall and may be lawful for the President of the United States, as soon as ten dollars on each share are paid, in manner herein provided, to appoint three directors, who shall serve until they are superseded by appointments made by the President of the United States, by and with the advice and consent of the Senate, as hereinbefore provided: *And provided further*, That as soon as the sum of six millions five hundred thousand dollars, in bullion, gold or silver coin, or in Treasury notes, or certificates of stock, shall have been actually received on account of the subscriptions to the capital of the said bank, (exclusively of the subscription of ten millions aforesaid on the part of the United States,) the operations of the same shall thenceforth commence and continue at the city of Washington.

Sec. 10. *And be it further enacted*, That the directors, for the time being, shall have power to appoint such officers, clerks and servants, under them as shall be necessary for executing the business of the said corporation, and to allow them such compensation, for their services, respectively, as shall be reasonable; and shall be capable of exercising such other powers and authorities for the well governing and ordering of the affairs of the said corporation, as shall be prescribed, fixed, and determined by the by-laws, regulations, and ordinances of the same.

Sec. 11. *And be it further enacted*, That the following rules, restrictions, limitations, and provisions, shall form and be fundamental articles of the constitution of said corporation, to wit:—

1st. The number of votes to which the stockholders shall be entitled, in voting for directors, shall be according to the number of shares he, she, or they, respectively, shall hold, in the proportions following, that is to say: for one share, and not more than two shares, one vote; for every two shares above two, and not exceeding ten, one vote, for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote: for every ten shares above one hundred, one vote; but no person, co-partnership, or body politic shall be entitled to a greater number than sixty votes: and, after the first election, no share or shares shall confer a right of voting, which shall not have been holden three calendar months previous to the day of election; no proxy to any officer of the bank, or of more than ninety days' standing, shall be valid; no proxy shall have a right to give more than three hundred votes; and stockholders actually resident citizens of the United States, and none others may vote in elections by proxy or otherwise; and any person holding a proxy may be required by any stockholder, at the time of voting, to make oath that he believes his principal, in whose behalf he votes, to be the bona fide holder of the share or shares and that no sale or transfer has been made for the purpose of evading the scale of voting established by this act.

2d. Not more than five-sixths of the directors elected by the stockholders, who shall be in office at the time of an annual election, shall be elected for the succeeding year; and no director shall hold his office for more than five years out of six in succession; but the director who shall be president at the time of an election, may always be re-appointed, or selected as the case may be.

3d. None but a stockholder, resident citizen, shall be a director. Not more than two directors shall be elected, and not more than one appointed out of any one State: and they shall be paid by said bank such reasonable compensation for their services as the stockholders, at their annual meeting shall direct; but the salary of the president shall be fixed by the directors.

4th. Not less than five directors shall constitute a board for the transaction of business, of whom the president shall

always be one; and at least three of the five shall be of the directors elected by the stockholders; and in case of sickness or necessary absence of the president, his place shall be supplied by any other director whom he, by writing, under his hand, shall depute for that purpose, and the director so deputed may do and transact all the necessary business belonging to the office of the president of the said corporation, during the said continuance of the sickness or necessary absence of the president.

5th. A number of stockholders, not less than sixty, who together, shall be proprietors of one thousand shares, or upwards, shall have power at any time to call a general meeting of the stockholders, for purposes relative to the institution, giving at least four weeks' notice in the public newspapers of the place where the bank is seated, and specifying in such notice the object or objects of such meeting.

6th. Each cashier or treasurer, before he enters upon the duties of his office, shall be required to give bond, with two or more sureties, to the satisfaction of the directors, in a sum not less than fifty thousand dollars, with a condition for his good behaviour and the faithful performance of his duty to the corporation.

7th. The lands, tenements, and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation, in relation to the convenient transaction of its business, and such as shall have been purchased at sales upon judgments or decrees, or shall have been assigned or set off to said bank in satisfaction of said judgments or decrees, which shall have been obtained for debts due, or as have been bona fide mortgaged to it by way of security: *Provided*, That no loan shall be made on the security of real estate; nor shall the said corporation hold any one parcel of such lands or tenements, not necessary for the convenient transaction of its business, for a longer period than five years.

8th. The total amount of debts which the said corporation shall at any time owe, whether by bond, bill, note, or other contract, over and above the debt or debts due for money deposited in the bank, shall not exceed the sum of twenty-five millions of dollars, unless the contracting of any greater debt shall have been previously authorized by law. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their natural and private capacities; and an action of debt may in such case be brought against them, or any of them, their, or any of their heirs, executors, or administrators, in any court of record of the United States, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution, any condition, covenant, or agreement, to the contrary notwithstanding; but this provision shall not be construed to exempt the said corporation, or the lands, tenements, goods, or chattels of the same, for being also liable for, and chargeable with the said excess. Such of the said directors as may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable by forthwith giving notice of the fact, and of their absence or dissent, to the President of the United States, and to the stockholders, at a general meeting, which they shall have power to call for that purpose.

9th. The said corporation shall not directly or indirectly deal or trade in anything except bills of exchange, gold or silver coin, or bullion, or goods, or lands purchased on execution, sued out on judgments, or decrees obtained for the benefit of said bank, or taken bona fide in the payment of debts due to it, or goods which shall be the proceeds of its lands. It shall not be at liberty to purchase any public debt whatever, nor make any loan upon the pledge thereof, nor shall it take more than at the rate of six per centum per annum, for or upon its loans and discounts; nor shall the board of directors of the said corporation make donations or presents of its funds to any officer or director for any purpose whatever.

10th. No loan shall be made by the said corporation, for the use or on account of the Government of the United States, to an amount exceeding one million of dollars, nor

for any period exceeding one hundred and eighty days, or on account of any particular State, to an amount exceeding one hundred thousand dollars, or for any period exceeding one hundred and eighty days, unless previously authorized by a law of the United States.

11th. The stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf, by the by-laws and ordinances of the same. *Provided*, No assignment or transfer of stock shall at any time be made to others than citizens of the United States, or Territories thereof; and if otherwise made, the same shall be void, and the stock so unlawfully transferred shall be forfeited and accrue to the surplus fund of the bank.

12th. The bills obligatory and of credit under the seal of the said corporation, which shall be made to any person or persons, and his, her, or their executors, or administrators, and of his, her, or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees, and his, her, or their executors, or administrators, to maintain an action thereupon, in his, her, or their own name or names: *Provided*, That said corporation shall not make any bill obligatory, or of credit, or other obligation under its seal, for the payment of a less sum than five thousand dollars, or for a longer period than one year.

13th. All bills or notes issued by order of the said corporation, signed by the President and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her, or their order, or to bearer, although not under the seal of the said corporation, shall be binding and obligatory upon the same, in like manner, and with like force and effect as upon any natural person or persons, if issued by him, her, or them, in his, her, or their private or natural capacity or capacities, and shall be assignable and negotiable in like manner as if they were so issued by such natural person or persons, his, her, or their order, shall be assignable by endorsement, in like manner and with the like effect as foreign bills of exchange now are; and those which are payable to bearer shall be assignable and negotiable by delivery only: *Provided*, That all bills or notes so to be issued by said corporation shall be made payable on demand.

14th. Half yearly dividends may be made of so much of the profits of the bank as shall appear to the directors advisable, not exceeding three and a half per cent. for any one half year. When a surplus beyond that limit shall have accumulated in the said bank to an amount exceeding two millions of dollars, the excess beyond that sum and beyond the annual dividends, as such excess accrues, shall be annually transferred and paid over to the Treasurer of the United States; and, upon the expiration of this charter, any surplus which may be in the said bank, after the payment of dividends as aforesaid, and after reimbursing the capital of the stockholders, shall in like manner be paid into the Treasury of the United States. If the dividends shall in any half year fall below the above limitation of three and a half per cent. the Secretary of the Treasury shall, out of the surpluses which shall have been previously paid over to the Treasurer, but out of no other funds or money in the Treasury of the United States, pay a sum sufficient to make up the deficiency. The directors shall make no dividends except from the nett profits arising from the business of the corporation, and shall not at any time, or in any manner, pay to the stockholders, or any of them, any part of the capital stock of the said corporation; nor shall they at any time, or in any way or manner, reduce the capital stock of the said corporation without the consent of Congress; nor shall the said directors, either of the said principal bank or of any branch or office of discount and deposit, or any agency, discount, or suffer to be discounted, or receive in payment, or suffer to be received in payment, any note or other evidence of debt as a payment of or upon any instalment of the said capital stock actually called for and required to be paid, or with the intent of providing the means of making such payment; nor shall any of the said directors receive or discount, or suffer to be received or discounted, any note or other evidence of debt, with intent of enabling any stockholder to



withdraw any part of the money paid in by him on his stock; nor shall the said directors apply, or suffer to be applied, any portion of the funds of the said corporation, directly or indirectly, to the purchase of shares of its own stock; nor shall the said directors, or any of them, receive as a security for any loan or discount, or in payment or satisfaction of any debt due to the said corporation, except in the necessary course of collection of debts previously contracted in a bona fide manner in the ordinary course of its banking operations, and actually due and unpaid, any shares of the capital stock of the said corporation; and any shares of the said capital stock so received in payment of any such debts shall be, in good faith, sold and transferred from the hands and ownership of the said corporation within ten months from the time of its transfer to and reception by the same, in the manner and for the purposes aforesaid; nor shall the said directors, or any of them, receive from any other banking or other stock corporation shares of the stock of any such banking or other stock corporation, or any notes, bonds, or other evidences of debt issued by or upon the credit of such corporation, in exchange for the shares of stock, notes, bonds, or other evidences of debt of the corporation created by this act.

And the said directors, in determining what are "net profits" of the said corporation from which the dividends allowed by this article may be made, shall first deduct from the profits of the business of the said corporation all expenses paid or incurred, both ordinary and extraordinary, attending the management of the affairs and the transaction of the business of the said corporation; all interest paid, or then accrued, due and unpaid, on debts owing by the said corporation; and all losses sustained by the said corporation; and in the computation of such losses, all debts owing to the corporation shall be included which shall have remained due, without prosecution, and no interest shall have been paid thereon, for more than one year; or on which judgments shall have been recovered that shall have remained for more than two years unsatisfied, and on which no interest shall have been paid during that period. If there shall be a failure in the payment of any part of any sum subscribed to the capital of the said bank, the stockholder so delinquent shall lose the benefit of any dividend which may have accrued prior to the time for making such payment, and during the delay of the same.

15th. Once in every year the directors shall lay before the stockholders, at a general meeting, or publish for their information, an exact and particular statement of the debts which shall remain unpaid after the expiration of the original credit, and of the surplus of the profits, if any, after deducting losses and dividends.

16th. The directors of the said corporation shall establish one competent office of discount and deposit in any State in which two thousand shares shall have been subscribed, or may be held, whenever, upon application of the Legislature of such State, Congress may by law require the same. And the said directors may also establish one or more competent offices of discount and deposit in any Territory or District of the United States, and in any State, with the assent of such State; and when established, the said office or offices shall be only withdrawn or removed by the said directors prior to the expiration of this charter, with the previous assent of Congress: *Provided*, in respect to any State which shall not, at the first session of the Legislature thereof held after the passage of this act, by resolution or other usual legislative proceeding, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of the said State shall be thereafter presumed: *And provided nevertheless*, That whenever it shall become necessary and proper for carrying into execution any of the powers granted by the Constitution, to establish an office or offices in any of the States whatever, and the establishment thereof shall be directed by law, it shall be the duty of the said directors to establish such office or offices accordingly. And the said directors shall have power to commit the management of the said office and the business thereof, respectively, to such persons, and under such regulations, as they may deem proper, not being contrary to law or to this charter.—

Or, instead of establishing such offices it shall be lawful for the directors of the said corporation, from time to time, to employ any agent or agents, or any other bank or banks, to be approved by the Secretary of the Treasury, at any place or places that the said directors may deem safe and proper, to manage and transact the business as aforesaid, other than for the purposes of discount, and to perform the duties hereinafter required of the said corporation, to be managed and transacted by such officers, under such agreements and subject to such regulations as they shall deem just and proper. Not more than nine nor less than five managers or directors of every office, established as aforesaid, shall be annually appointed by the directors of the said corporation, to serve one year. The said managers or directors shall choose a president from their own number; they shall be citizens of the United States, and residents of the State, Territory or District, wherein such office is established; and at least one of the said managers or directors shall be ineligible to re-appointment at the end of every first and each succeeding year; but the president may be always re-appointed.

17th. The officer at the head of the Treasury Department of the United States shall be furnished from time to time, as often as he may require, not exceeding once a week, with such statements of the condition and business of said corporation as he may especially direct; and he shall also have a right to inspect, or cause to be inspected by some one by him duly authorized, all the books, papers, and accounts of the said corporation, of every kind, including the accounts of individuals, and to make, or cause to be made, an examination into the affairs, transactions, and condition of the corporation; and the condition of the bank shall be published monthly, in such manner, and with such particularity as the Secretary of the Treasury shall direct. And the said bank, and its offices of discount and deposit, shall be open at all times to the full and unrestricted inspection and examination of a committee of either House of Congress, to a committee of the stockholders, and to each and all of the directors of the bank. And, for the purpose of securing a full and unrestricted inspection and examination as aforesaid, the Secretary of the Treasury, or any one by him duly authorized, or a committee of either House of Congress, may respectively summon and examine, under oath, all the directors, officers, or agents of the said corporation, and of any branch or agency thereof, and such other witnesses as they may think proper, in relation to the affairs, transactions, and condition of the corporation; and any such director, officer, agent, or other person, who shall refuse, without justifiable cause, to appear and testify when thereto required, as aforesaid, shall, on conviction, be subject to a fine not exceeding one thousand dollars, and imprisonment for a term not exceeding one year. And upon the question of any loan or discount exceeding one thousand dollars, where the same is granted, if any member shall dissent, the vote shall be taken by ayes and noes, and shall be entered on the books of the bank, and be subject to the same inspection as the other proceedings of the said bank; and no part of the proceedings of the bank, nor any loans, discounts, or payments made by it, nor any order given by it, shall be concealed or kept secret from the Government directors, nor shall the said directors be excluded from the free and full participation in all transactions and business of the institution.

18th. No note shall be issued of a less denomination than five dollars; but Congress may hereafter, if it shall think fit, restrain the lowest denomination of notes to ten dollars; nor shall the said bank knowingly increase the amount of the debts due to it, when the notes in circulation exceed three times the amount of specie in its vaults; and whenever such excess takes place it shall be the duty of the said corporation to return to such proportion as speedily as shall be safe and practicable.

19th. The debts due and becoming due to said bank, shall never, at any one time, exceed the amount of the capital stock actually paid in, and seventy-five per cent. advanced thereon.

20th. No paper shall be discounted or any loan made by said bank for a longer period than one hundred and eighty days; nor shall any note, or bill, or other debt, or evidence



of debt, be renewed or extended by any engagement or contract of said bank, after the time for which it was negotiated shall have expired.

21st. The said bank shall not hold any public debt or stocks, or the stocks of any incorporated institution, unless taken for the security or in satisfaction of debts previously contracted.

22d. The said bank shall not pay out the notes of any other bank, or anything except legal coin, or its own notes.

23d. The directors of the said bank shall not, within the District of Columbia, discount any promissory note or bill of exchange, or make any loan whatever, except it be a loan to the Government of the United States according to the provisions of law.

24th. All notes or bills, adapted and intended to circulate as money, shall be prepared under the direction of the parent institution at Washington, shall be signed as hereinbefore provided for, and shall be made payable at the banking-house in Washington, or at some one of the offices of discount and deposit, to be specified on the face of the note or bill, except notes of a denomination not exceeding ten dollars, which may be signed by the President and Cashier of any office of discount and deposit at which they may be issued and made payable, but shall nevertheless, be prepared at and authorized by the parent institution at Washington. And no notes or bills but such as are prepared and signed, as aforesaid, shall be issued by any of the said offices of discount and deposit: *Provided*, That nothing herein contained shall be so construed as to prohibit the said offices from selling drafts for fifty dollars and upwards, each, drawn and intended for the purpose of remittance.

The notes or bills of said corporation, although the same be upon their face, respectively, made payable at a particular place only, shall, nevertheless, be received by the said corporation, or at any of its offices of discount and deposit, when tendered in liquidation or payment of any debt or balance due to said corporation.

25th. The officers of the corporation shall not be permitted to borrow money from the said corporation or contract any debt therewith in any manner whatever; and no note or bill, of which such officer is maker, drawer, endorser, acceptor, or otherwise a party, shall be discounted: *Provided*, That the entire liability of any one director of any of said offices to said corporation may exist to an amount not exceeding ten thousand dollars: *And provided also*, That no note or bill shall be discounted for any member of either House of Congress of the United States.

Sec. 12. *And be it further enacted*, That if the said corporation, or any person or persons for or to the use of the same, shall deal or trade in buying or selling any goods, wares, merchandise, or commodities whatsoever, contrary to the provisions of this act, all and every person or persons, by whom any order or direction for so dealing or trading shall have been given, and all and every person or persons, who shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandise and commodities, in which such dealing and trade shall have been; one-half thereof to the use of the informer, and the other half thereof to the use of the United States, to be recovered in any action of law, with costs of suit.

Sec. 13. *And be it further enacted*, That if the said corporation shall advance or lend any sum of money for the use, or on account of the Government of the United States, to an amount exceeding one million of dollars, or for the use or on account of any particular State, to an amount exceeding one hundred thousand dollars, (unless specially authorized by law) all and every person or persons, by and with whose order, agreement, consent, approbation and connivance, such unlawful advance or loan shall have been made, upon conviction thereof, shall forfeit and pay for every such offence treble the value or amount of the sum or sums which have been so unlawfully advanced or lent; one-fifth thereof to the use of the informer, and the residue thereof to the use of the United States.

Sec. 14. *And be it further enacted*, That the bills or notes of the said corporation originally made payable, or

which shall have become payable on demand, shall be receivable in all payments to the United States, unless otherwise directed by act of Congress: *Provided, however*, That if the said bank, or any of its branches, shall at any time suspend specie payments, or shall neglect or refuse to discharge, on demand, any and all of its liabilities in specie, then its bills or notes shall not, during such suspension, be received in payment of any debt or demand of the United States; and such suspension of specie payments shall be held and adjudged a cause of forfeiture of the charter hereby granted.

Sec. 15. *And be it further enacted*, That during the continuance of this act, and whenever required by the Secretary of the Treasury, the said corporation shall give the necessary facilities for transferring the public funds from place to place within the United States, or the Territories thereof, and for distributing the same in payment of the public creditors, and shall also do and perform the several respective duties formerly required of the pension agents and commissioners of loans for the several States, or any one or more of them, without charging commissions, or claiming allowances on account of difference of exchange.

Sec. 16. *And be it further enacted*, That the deposits of the money of the United States in places in which the said bank and branches thereof may be established, shall be made in said bank or branches thereof, unless Congress shall otherwise direct by law, and that all public moneys in deposit in said bank or standing on its books to the credit of the Treasurer, shall be taken and deemed to be in the Treasury of the United States, and all payments made by the Treasurer shall be in checks drawn on said bank: *Provided*, That if the said bank shall suspend specie payments during the recess of Congress, it shall be the duty of the Secretary of the Treasury to provide for the safe-keeping of the public moneys until the action of Congress can be had thereon, and he shall report the same to Congress on the first day of the session next after such suspension.

Sec. 17. *And be it further enacted*, That the said corporation shall not at any time suspend or refuse payment in gold and silver coin of any of its notes, bills, or obligations, nor of any moneys received upon deposit in said bank, or any of its offices of discount and deposit; and if the said corporation shall at any time refuse or neglect to pay, on demand, any bill, note, or obligation, issued by the corporation according to the contract, promise or undertaking therein expressed, or shall neglect or refuse to pay, on demand, any moneys received in said bank, or in any of its offices aforesaid, on deposit, to the person or persons entitled to receive the same, then, and in every such case, the holder of any such note, bill, or obligation, or the person or persons entitled to receive and demand such moneys as aforesaid, shall respectively be entitled to receive and recover interest on the said bills, notes, obligations, or moneys, until the same shall be fully paid and satisfied, at the rate of twelve per cent. per annum, from the time of such demand aforesaid: *Provided*, That Congress may, at any time hereafter, enact laws enforcing and regulating the recovery of the amount of the notes, bills, obligations, or other debts, of which payment shall have been refused as aforesaid, with the rate of interest abovementioned, vesting jurisdiction for that purpose in any Courts of the United States, or Territories thereof, as they may deem expedient.

Sec. 18. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting, any bill or note in imitation of, or purporting to be, a bill or note issued by order of said bank, or any order or check on the said bank or corporation, or any cashier thereof; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any bill or note issued by order of the said bank, or any order or check on the said bank or corporation, or any cashier thereof; or shall pass, utter, or publish, as true, any false, forged, or counterfeit bill or note, purporting to be a bill or note issued by order of the said bank, or any false, forged, or counterfeited order or check upon the said bank or corporation, or any cashier thereof,

knowing the same to be falsely forged or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered bill or note issued by order of the said bank, or any falsely altered order or check on the said bank or corporation, or any cashier thereof, knowing the same to be falsely altered, with intention to defraud the said corporation, or any other body politic or person; or shall sell, utter, or deliver, or cause to be sold, uttered, or delivered, any forged or counterfeit note or bill in imitation of, or purporting to be, a bill or note issued by order of the said bank, knowing the same to be false, forged, or counterfeited, every such person shall be deemed and adjudged guilty of felony; and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor, for not less than three years, nor more than ten years; or shall be imprisoned not exceeding ten years, and fined not exceeding five thousand dollars: *Provided*, That nothing herein contained shall be construed to deprive the Courts of the individual States of a jurisdiction under the laws of the several States, over any offence declared punishable by this act.

Sec. 19. *And be it further enacted*, That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any plate, engraved after the similitude of any plate from which any notes or bills issued by the said corporation shall have been printed, with intent to use such plate, or cause or suffer the same to be used, in forging or counterfeiting any of the notes or bills issued by the said corporation; or shall have in his custody or possession any blank note or notes, bill or bills, engraved and printed after the similitude of any notes or bills issued by said corporation, with intent to use such blanks, or cause or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by the said corporation; or shall have in his custody or possession any paper adapted to the making of bank notes or bills and similar to the paper upon which any notes or bills of the said corporation shall have been issued, with intent to use such paper, or cause or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by the said corporation, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned for a term not exceeding five years, and fined in a sum not exceeding one thousand dollars.

Sec. 20. *And be it further enacted*, That if any officer, agent, or servant of the said bank, shall embezzle or appropriate to his own use any moneys, goods, effects, or funds of the said bank, with intent to cheat or defraud the said corporation, or shall make false entries upon the books of the said bank with intent to defraud the said corporation, or any other person whatsoever, such officer, agent, or servant, shall be fined at the discretion of the court, and imprisoned, not exceeding six years.

Sec. 21. *And be it further enacted*, That no other bank shall be established by any further law of the United States during the continuance of the corporation hereby created: *Provided*, That Congress may renew or modify the charters of the banks heretofore established within the District of Columbia, or establish other banks within and for the use of the said District, so that the aggregate capital of all the banks chartered for the said District shall not exceed the sum of five millions of dollars. And, notwithstanding the expiration of the term for which the said corporation is created, it shall be lawful to use the corporate name, style and capacity, for the purpose of suits, and for the final settlement and liquidation of the affairs and accounts of the corporation, and for the sale and disposition of their estate, real, personal, and mixed; but not for any other purpose or any other manner whatever, for a period exceeding two years after the expiration of the said term of incorporation.

Sec. 22. *And be it further enacted*, That if the subscriptions and payments to said bank shall not be made and completed, so as to enable the same to commence its operations; or, if the said bank shall not commence its operations on or before the first Monday in April next, then, and in that case, Congress may, at any time within twelve months thereafter, declare, by law, this act null and void.

Sec. 23. *And be it further enacted*, That whenever a committee of either House of Congress, appointed to inspect the books and to examine into the proceedings of the corporation hereby created, shall report that the provisions of this charter have been by the same violated, or the President of the United States shall have reason to believe that the charter has been violated, it may be lawful for Congress to direct, or the President to order a scire facias to be sued out of the Circuit Court of the United States for the District of Columbia, in the name of the United States, (which shall be served upon the President of the corporation for the time being, at least fifteen days before the commencement of the term of said court,) calling upon the said corporation to show cause wherefore the charter hereby granted shall not be declared forfeited; and it shall be lawful for the said court, upon the return of the said scire facias, to examine into the truth of the alleged violation; and if such violation be made to appear, then to pronounce and adjudge that the said charter is forfeited and annulled; *Provided however*, That every issue of fact which may be joined between the United States and the corporation aforesaid shall be tried by a jury. And it shall be lawful for the court aforesaid to require the production of such of the books or papers of the corporation as it may deem necessary for the ascertainment of the controverted facts: and the final judgment of the court aforesaid shall be examinable in the Supreme Court of the United States by writ of error, and be there reversed or affirmed according to the usages of the law.

Sec. 24. *And be it further enacted*, That if the said corporation shall assume or exercise any franchise or privilege, or attempt to carry on any business not allowed by this act, it shall be lawful for the Attorney General of the United States, under the direction of Congress, or of the President of the United States, to file an information in the nature of a bill in equity, in the Circuit Court of the United States for the District of Columbia, to restrain by injunction the said bank from assuming or exercising such franchise or privilege, or transacting such business. And the said court may issue temporary or perpetual writs of injunction, direct such course of proceedings, and make all such orders and decrees, on such information as may be consonant with the course of such court in cases in equity; *Provided*, That no final decree shall be made in any such case, unless the issues of fact joined therein shall be first found by a jury. And that from such final decree, an appeal may be taken to the Supreme Court of the United States.

Passed the Senate, July 28, 1841.

Attest: ASBURY DICKENS, *Secretary*.

Passed the House, August 6th, 1841.

#### Pennsylvania Lead.

There seems to be no mistake about the lead mine in Northumberland county. The Sunbury American says: "Several hands have been engaged during the last three months in working and exploring the lead mine near this place, which was discovered about a year since. They have already taken out about 25 tons of the ore, which will on an average yield about sixty per cent. of pure metal. The vein now working is about two feet in thickness. There are several other veins which have not yet been opened."

In addition to the above, we find the following in a Milton paper as an advertisement:

"Lead Pipe of different sizes and weight—rolled bars cut in pound and half pound weights, to suit merchants, to be had at the steam mill in the borough of Milton. Farmers and others, wishing to lay water pipes for fountains, &c. will find it much cheaper and better in every respect to lay lead pipe, as they will last for several ages, and then can be taken up and sold for nearly as much as their first cost. The public are invited to call and judge for themselves.

ROBERT M. SEYDELL."

If this lead mine should continue to yield as it has begun, it will add immeasurably to the wealth of Pennsylvania, whose minerals are destined to make her not only the first State in the Union, but in the world.

### Bankrupt Law.--Its History.

On the 4th of April, 1800, Congress passed a uniform bankrupt law. At this time the business of the country was limited; the relations between debtor and creditor stood upon a different footing; imprisonment for debt existed in nearly all the States. The law applied to merchants and traders only. A farmer, a lawyer, or a mechanic, had to become a trader, within the meaning of the act, to be entitled to the benefit of its provisions. A change in the political parties of the day was not without its effect upon this law. It was repealed December 19, 1803. Had the law remained, and been amended as time and experience would have suggested, it would have been of great benefit to the country, not only in a moral but in a pecuniary point of view. The country would have escaped many of the convulsions and disasters which it has, since that period, passed through.

The next action on this subject was in the House of Representatives, January 1, 1812, when a Committee was appointed to inquire into the expediency of establishing a uniform law on the subject of bankruptcy.

In the House, January 3, 1815, Mr. Ingersoll, from the Committee on the Judiciary, reported a bill. (See bill H. of R. No. 650.) At this time Boston, New York, Philadelphia, and Baltimore, sent in strong petitions in favor. (See House Journal, 15th Congress.)

In the House, February 27, 1816, Mr. Nelson, from the Committee on the Judiciary, reported a bill, April 22, Committee discharged, and the subject indefinitely postponed.

In the House, December 13, 1816, Mr. Hopkinson, from the Committee on the Judiciary, reported a bill. February 24, 1817, Committee discharged, and the subject indefinitely postponed.

In the House, December 12, 1817, Mr. Hopkinson, from the Committee on the Judiciary, reported a bill. (See bill No. 6.) February 13, taken up in Committee of the Whole, debated from time to time, and finally indefinitely postponed—82 to 70. (See this Debate.)

In the House, November 24, 1818, Mr. Hopkinson, from the Committee on the Judiciary, reported a bill again; but it was not acted upon.

In the House, December 11, 1819, Mr. Sergeant, from the Committee on the Judiciary, reported a bill; but it was not acted upon.

In the Senate, January 12, 1820, Mr. Smith, from the Committee on the Judiciary, to whom were referred the memorials of a large number of the merchants of Boston and other towns in Massachusetts; of merchants and others of Portsmouth, New Hampshire; of the Chambers of Commerce in New York, Philadelphia, Baltimore, and Charleston, South Carolina, for a uniform system of bankruptcy, reported a bill, and it was debated from January 14 to March 30, and lost in its passage to be engrossed—19 to 17.

In the Senate, January 2, 1821, Mr. Van Dyke asked and obtained leave to bring in a bill, which was referred to the Committee on the Judiciary. January 11, Mr. Smith, from the Committee on the Judiciary, reported the bill without amendment, which was debated and engrossed. February 14, the question, *Shall this bill pass?* was decided in the affirmative—yeas 22, nays 19. So the bill passed the Senate, and was sent down to the House.

In the House, February 20, 1821, the Secretary of the Senate came in with a bill from the Senate to establish a uniform system of bankruptcy throughout the United States, and asked the concurrence of the House; and the bill was referred to the Committee on the Judiciary. (See bill from Senate, No. 20.) This bill failed from not being acted upon.

In the House, December 11, 1821, Mr. Sergeant, from the Committee on the Judiciary, reported a bill again, (see bill No. 1,) which was debated from time to time until March 12, 1822, when the bill was lost in its passage to be engrossed—99 nays to 72 yeas. March 12, 1822, on the rejection of this bill, Mr. Walworth laid upon the table a joint resolution that the Constitution be amended so as to give back to the States the power they had on this subject previously to

the adoption of the Constitution. March 22, the above resolution was read a first and second time, and referred to the Committee of the Whole on the state of the Union. (See House Journal, 1821 and 1822, page 340.)

In the House, December 11, 1823, Mr. Breck moved that the Committee on the Judiciary be instructed to inquire into the expediency of establishing a uniform system of bankruptcy. December 30, Mr. Webster, from the Committee on the Judiciary, reported that, *from want of time* at this session, it was *inexpedient* to bring in a bill.

In the House, May 26, 1824, Mr. Webster, from the Committee on the Judiciary, reported that it was *now expedient* to establish a uniform system of bankruptcy.

In the House, December 6, 1825, John Q. Adams, President of the United States, in his annual message to both Houses, recommended the passage of a bill. The subject was referred to the Committee on the Judiciary. January 3, 1826, Mr. Webster, from the Committee on the Judiciary, reported a resolution that it was expedient to pass such a bill. The resolution was read and referred to the Committee of the Whole House on the state of the Union. February 6, Mr. Wickliffe moved that the Clerk of the House procure the statutes of Great Britain on this subject, and have the same printed for the use of the members. Subject laid upon the table.

In the Senate, December 13, 1825, Mr. Smith moved that a Select Committee be appointed to inquire into the expediency of abolishing imprisonment for debt. Mr. Hayne moved to amend the same so as to establish a uniform system of bankruptcy. February 21, 1826, Mr. Hayne reported a bill, which was debated from time to time, and finally laid upon the table May 24, 1826.

In the Senate, December 6, 1826, Mr. Hayne asked and obtained leave to bring in a bill, which was, December 19 considered in Committee of the Whole. February 6, 1827, the bill was debated and lost in its passage to be engrossed—27 to 21. (See speeches on this bill.)

December 4, 1827, John Q. Adams, President of the United States, in his annual message, recommended to both Houses the passage of a bankrupt bill.

In the House, April 5, 1832, Mr. John Davis presented a resolution of the Legislature of Massachusetts in favor of a uniform system of bankruptcy. (See House Journal, 22d Congress, page 568.)

In the House, September 5, 1837, extra session, Mr. Van Buren, President of the United States, recommended in his message to both Houses the passage of a bill, and to apply in particular to banks and bankers. The Secretary of the Treasury also made a report. Referred to the Committee on the Judiciary. September 21, the Committee on the Judiciary report that it is inexpedient to legislate this extra session.

In the Senate, September 5, 1837, extra session, the same action was had in the House, that it was inexpedient to legislate on the subject at that session.

In the Senate, January 13, 1840, Mr. Norvell moved that the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill. April 1, Mr. Webster asked and obtained leave to bring in a bill, (S. No. 244,) which was read and referred. April 3, Mr. Tallmadge asked and obtained leave to bring in a bill, (S. No. 295,) which was read and referred. April 22, Mr. Clayton, from the Committee on the Judiciary, reported a bill, (S. No. 324.) Mr. Wall, from a minority of the Committee, reported an amendment to bill No. 324. June 12, Mr. Crittenden, from the Select Committee to whom was referred the Senate bill No. 324, with the amendment proposed by Mr. Wall, reported the bill with the amendment to the Senate. He also reported a bill (S. No. 369) which was debated from time to time; and June 25, the question, *Shall this bill pass?* (S. No. 369,) was decided in the affirmative—21 to 19. So the Senate passed the bill, and sent it down to the House.

In the House, February 10, 1840, Mr. Hubbard moved that the Committee on the Judiciary be instructed to inquire into the expediency of establishing a uniform system of bankruptcy. March 9, Mr. McKay moved that they should inquire also as to banks and other corporations. February 29,

Mr. Curtis informed the House that, when in order, he should ask leave to introduce a bill.

June 25, 4 o'clock P. M. Mr. Dickens, Secretary of the Senate, came in with the bill from the Senate to establish a uniform system of bankruptcy, and asked the concurrence of the House. (Senate bill No. 369.) July 7, laid upon the table by nearly a party vote—101 to 89.

In the Senate, December 30, 1840, Mr. Crittenden, from the Committee on the Judiciary, reported a bill, (S. No. 160,) which was debated from time to time until February 27, 1841, when the subject was passed over from want of time, with the understanding that the subject should be acted upon at the next session.

In the House, extra session, June 12, 1841, Mr. Briggs moved that the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill to establish a uniform system of bankruptcy.

In the Senate, extra session, June 25, 1841, Mr. Berrien, from the Committee on the Judiciary reported a bill.

In the House, July 1, 1841, John Tyler, President of the United States, sent a special message to the House in favor of the passage of a bill, with a petition of 3,000 citizens from New York.

In the House, July 21, Mr. Barnard, from the Committee on the Judiciary, reported a bill, with a written report in favor of the measure; both of which were read and ordered to be printed. He also offered a resolution that it was inexpedient to legislate upon the subject at this extra session; which resolution, after debate, was laid upon the table, yeas 118, nays 81.

In Senate, July 22, 1841, Mr. Berrien, according to notice, called up the Bankrupt bill. July 23, Mr. Nicholson moved to amend the bill by inserting "Banks and other Corporations," which motion was decided in the negative, 34 to 16. The bill was debated until July 24, when the question was put "Shall this bill pass?" and decided in the affirmative, yeas 26, nays 23. So the Senate passed the bill, and sent it down to the House.

In the House, July 24, 1841, the Secretary of the Senate came in with the bill to establish a Uniform System of Bankruptcy, and asked the concurrence of the House.

In the House, July 31, 1841, Mr. Barnard moved that the bill from the Senate be referred to the Committee of the Whole on the state of the Union, and be printed. Mr. Sprigg moved to lay the bill on the table, and called the yeas and nays—decided in the negative, 123 to 91. The bill was then referred.

The only thing now wanted is the favorable action of the House to make this great measure the permanent law of the land. By so doing, the interest of society and the interest of the creditors will be harmonised and promoted, the unfortunate relieved and sustained, and the laws respected and enforced. (See bill as passed page 122.)

#### Commerce of France.

The external commerce of France amounted in the year 1840, to two billions, sixty-three millions of francs; that is 113 millions more than in 1839, 171 more than in 1838, and 671 millions more than the decennial average of from 1827 to 1836.

This general amount of two billions, sixty-three millions is divided almost equally between importation and exportation; one billion, fifty-two millions for the former, and one billion, eleven millions for the latter. Special commerce figures in this for one billion, 442 millions; that is, 115 millions more than in 1839, 440 more than the average of from 1827 to 1836.

The 1442 millions of special commerce give 747 millions to importation, and 695 millions to exportation. The increase of importation for 1840, compared with that of 1839, is 97 millions; that of exportation, only 18 millions.

This simple statement of numbers shows that in 1840 our exchanges with the foreigner have made great progress. Let us examine upon what articles the increase has taken place. It was said that the increase was almost exclusively upon corn; the assertion is exaggerated. The surplus is 113 millions; therefore the surplus of the importations of

corn is only seven millions to general commerce; it is true that it amounts to 22 millions for special commerce. The principal cause for the increase ought much rather to be sought in the importation of cotton, which, in 1840, represented a value of 151 millions, or 60 millions more than in 1839, a surplus which, to special commerce is 23 millions; this fact denotes an increase of activity in our cotton industry, and it will be seen further on that this conjecture will be confirmed by the increase of exportation of our cotton tissues. It is just to remark that the arrivals of cotton in 1839 were very considerable, on account of the poverty of the harvest in the United States. Thus the provisionings of 1840 must have increased by as much.

With cotton, other matters necessary for trade, such as indigo, silk, linseed, copper, lead, zinc, &c., offered each rather a large surplus. But wool presents on the contrary, a sensible diminution, either from the failing of the manufactures or from a more abundant production of wool. The former supposition seems little probable, for the exportation of woollen stuffs increased a little in 1840. It will, at all events, be impossible to establish this fact as long as the minister of commerce will persist in giving no yearly statistical account of the principal branches of our internal works and produce. This may be difficult; but we do not think it impossible.

The importation of English linen thread scarcely increased in 1840. Has it, at last, found limits? We doubt it, even with the recent rise of the tariff. Weaving machinery is powerful in England; let us make haste and profit by this respite, in order to bring it into use in France. An important fact to signalize is the constant diminution of the importation of cattle; it is upon this article that our unmerciful taxes ought to be reduced. The consumption of our colonial sugars shows in 1840 a great surplus.

The exportations of our wines and brandy increased in 1840. People affect to say that it is continually increasing. This is also false; but what is incontestible is, that our wines—that great source of wealth to France—find very few places where they can be exported.

During the period between 1826 and 1830, France exported 5,321,000 hect. of ordinary wines, of which 2,151,000 were exported from the Gironde, and 3,170,000 from the other parts of the country. The total from 1836 to 1840, was 6,325,000 hect., of which 2,900,000 were exported by the Gironde, and 4,235,000 from the other departments. Thus upon the whole of the wines exported there is an increase; upon those of Bordeaux a decrease.

There is a local cause which it is necessary to examine.

The exportation of our cotton tissue has remarkably increased. From 86 millions, in 1839, it increased to 109 millions in 1840, an increase of 23 millions—an increase proportioned to that of cotton. In fact, we now sell to foreigners tissues of French cotton double what we exported ten years ago. It is certainly little in comparison with the 450 millions exported annually by England; but, at all events, our cotton industry is evidently in a way of progress, and we cannot doubt that it will receive a new impulse from the facility acquired by Alsace by the treaty with Holland, of having its primary produce upon easy conditions. As to our silk tissues, their exportation very little increased in 1840, which may be attributed to the distrust which the American financial crisis caused. But it is to be remarked that five millions of foreign silk more than 1839 were consumed in 1840.—*Journal des Debats*.

#### Cochineal Insect.

The New Orleans Bee says, that this insect, which furnishes a brilliant and valuable dye, is found in great abundance on the willow trees in the Parish of St. Mary, in summer. Another paper suggests that they might be made a source of profit in Louisiana.

A passenger in a steamboat a short time since brought a suit in St. Louis against the captain for not starting at the hour he advertised, thereby creating a loss to him. The case went before a jury, who brought in a verdict of one hundred and ninety dollars damages.



**BANKRUPT LAW.**

An Act to establish a uniform system of bankruptcy throughout the United States.

*System established and limited. Who may become a voluntary bankrupt. Initiatory proceedings.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, established throughout the United States a uniform system of bankruptcy, as follows: All persons whatsoever, residing in any State, District, or Territory of the United States, owing debts, which shall not have been created in consequence of a defalcation as a public officer, or as executor, administrator, guardian, or trustee, or while acting in any other fiduciary capacity, who shall, by petition, setting forth, to the best of his knowledge and belief, a list of his or their creditors, their respective places of residence, and the amount due to each, together with an accurate inventory of his or their property, rights and credits, of every name, kind and description, and the location and situation of each and every parcel and portion thereof, verified by oath, or, if conscientiously scrupulous of taking an oath, by solemn affirmation, apply to the proper court, as hereinafter mentioned, for the benefit of this act, and therein declare themselves to be unable to meet their debts and engagements, shall be deemed bankrupts within the purview of this act, and may be so declared accordingly by a decree of such court.

*Certain persons may be bankrupted by creditors—but the fact of bankruptcy, must be decided by a jury if the debtor desires it.*

All persons, being merchants, or using the trade of merchandise, all retailers of merchandise, and all bankers, factors, brokers, underwriters, or marine insurers, owing debts to the amount of not less than two thousand dollars, shall be liable to become bankrupts within the true intent and meaning of this act, and may upon the petition of one or more of their creditors, to whom they owe debts amounting in the whole to not less than five hundred dollars, to the appropriate court, be so declared accordingly, in the following cases, to wit: whenever such person, being a merchant, or actually using the trade of merchandise, or being a retailer of merchandise, or being a banker, factor, broker, underwriter, or marine insurer, shall depart from the State, District or Territory of which he is an inhabitant, with intent to defraud his creditors; or shall conceal himself to avoid being arrested; or shall willingly or fraudulently procure himself to be arrested, or his goods and chattels, lands or tenements, to be attached, distrained, sequestered or taken in execution; or shall remove his goods, chattels and effects, or conceal them to prevent their being levied upon, or taken in execution, or by other process; or make any fraudulent conveyance, assignment, sale, gift, or other transfer of his lands, tenements, goods, or chattels, credits, or evidences of debt:

*Provided, however,* That any person so declared a bankrupt at the instance of a creditor, may, at his election, by petition to such court within ten days after its decree, be entitled to a trial by jury before such court, to ascertain the fact of such bankruptcy; or if such person shall reside at a great distance from the place of holding such court, the said judge in his discretion, may direct such trial by jury to be had in the county of such person's residence, in such manner and under such directions as the said court may prescribe and give; and all such decrees passed by such court, and not so re-examined, shall be deemed final and conclusive as to the subject-matter thereof.

*Future preferences in view of bankruptcy, void.*

Sec. 2. *And be it further enacted,* That all future payments, securities, conveyances, or transfers of property, or agreements made or given by any bankrupt in contemplation of bankruptcy, and for the purpose of giving any creditor, endorser, surety, or other person any preference or priority over the general creditors of such bankrupt; and all other payments, securities, conveyances, or transfers of prop-

erty or agreements made or given by such bankrupt in contemplation of bankruptcy, to any person or persons whatever, not being a bona fide creditor or purchaser for a valuable consideration, without notice, shall be deemed utterly void, and a fraud upon this act; and the assignee under the bankruptcy shall be entitled to claim, sue for, recover, and receive the same as part of the assets of the bankruptcy; and the person making such unlawful preferences and payments shall receive no discharge under the provisions of this act: *Provided,* That all dealings and transactions by and with any bankrupt, bona fide made and entered into more than two months before the petition filed against him, or by him, shall not be invalidated or affected by this act: *Provided,* That the other party to any such dealings or transactions had no notice of a prior act of bankruptcy, or of the intention of the bankrupt to take the benefit of this act.

*Preferences since January 1st, or at any time in view of passage of bankrupt act a bar to discharge, unless a majority of unpreferred creditors assent.*

And in case it shall be made to appear to the court, in the course of the proceedings in bankruptcy, that the bankrupt, his application being voluntary, has, subsequent to the first day of January last, or at any other time, in contemplation of the passage of a bankrupt law, by assignments or otherwise, given or secured any preference to one creditor over another, he shall not receive a discharge unless the same be assented to by a majority in interest of those of his creditors who have not been so preferred:

*Certain rights of married women and minors preserved.*

*And provided, also,* That nothing in this act contained shall be construed to annul, destroy, or impair any lawful rights of married women or minors, or any liens, mortgages, or other securities on property, real or personal, which may be valid by the laws of the States respectively, and which are not inconsistent with the provisions of the second and fifth sections of this act.

*Every species of bankrupt's property, (certain articles excepted) to be completely vested in his assignees by mere decree of bankruptcy.*

Sec. 3. *And be it further enacted,* That all the property and rights of property, of every name and nature, and whether real, personal, or mixed, of every bankrupt, except as is hereinafter provided, who shall by a decree of the proper court be declared to be a bankrupt within this act, shall, by mere operation of law, ipso facto, from the time of such decree, be deemed to be divested out of such bankrupt, without any other act, assignment, or other conveyance whatsoever; and the same shall be vested, by force of the same decree, in such assignee as from time to time shall be appointed by the proper court for this purpose; which power of appointment and removal such court may exercise at its discretion, toties quoties; and the assignee so appointed shall be vested with all the rights, titles, powers, and authorities to sell, manage and dispose of the same, and to sue for and defend the same, subject to the orders and directions of such court, as fully, to all intents and purposes, as if the same were vested in, or might be exercised by, such bankrupt before or at the time of his bankruptcy declared as aforesaid; and all suits in law or in equity, then pending, in which such bankrupt is a party, may be prosecuted and defended by such assignee to their final conclusion, in the same way, and with the same effect, as they might have been by such bankrupt; and no suit commenced by or against any assignee shall be abated by his death or removal from office, but the same may be prosecuted or defended by his successor in the same office: *Provided, however,* That there shall be excepted from the operation of the provisions of this section the necessary household and kitchen furniture, and such other articles and necessities of such bankrupt as the said assignee shall designate and set apart, having reference in the amount to the family, condition, and circumstances of the bankrupt, but altogether not to exceed in value, in any case, the sum of three hundred dollars; and, also, the wearing apparel of such bankrupt, and that of his wife and chil-



dren; and the determination of the assignee in the matter shall, on exception taken, be subject to the final decision of said court.

*Discharge granted by court alone, unless a majority of creditors dissent. In such case, right to be determined by a jury. (See post.)*

Sec. 4. *And be it further enacted*, That every bankrupt who shall bona fide surrender all his property and rights of property, with the exception before mentioned, for the benefit of his creditors, and shall fully comply with and obey all the orders and directions which may from time to time be passed by the proper court, and shall otherwise conform to all the other requisitions of this act, shall (unless a majority in number and value of his creditors, who have proved their debts, shall file their written dissent thereto) be entitled to a full discharge from all his debts, to be decreed and allowed by the court which has declared him a bankrupt, and a certificate thereof granted to him by such court accordingly, upon his petition filed for such purpose.

*Of final notice to creditors.*

Such discharge and certificate not, however to be granted until after ninety days from the decree of bankruptcy, nor until after seventy days' notice in some public newspaper, designated by such court, to all creditors who have proved their debts, and other persons in interest, to appear at a particular time and place, to show cause why such discharge and certificate shall not be granted; at which time and place any such creditors, or other persons in interest, may appear and contest the right of the bankrupt thereto: *Provided*, That in all cases where the residence of the creditor is known, a service on him personally, or by letter addressed to him at his known usual place of residence, shall be prescribed by the court, as in their discretion shall seem proper, having regard to the distance at which the creditor resides from such court.

*The matters which shall deprive debtor of a right of discharge.*

And if any such bankrupt shall be guilty of any fraud or wilful concealment of his property or rights of property, or shall have preferred any of his creditors contrary to the provisions of this act, or shall wilfully omit or refuse to comply with any orders or directions of such court, or to conform to any other requisites of this act, or shall, in the proceedings under this act, admit a false or fictitious debt against his estate, he shall not be entitled to any such discharge or certificate, nor shall any person, being a merchant, banker, factor, broker, underwriter, or marine insurer, be entitled to any such discharge or certificate, who shall become bankrupt, and who shall not have kept proper books of account, after the passing of this act; nor any person who, after the passing of this act, shall apply trust funds to his own use:

*Of the effect of a discharge.*

*Provided*, That no discharge of any bankrupt under this act shall release or discharge any person who may be liable for the same debt as a partner, joint contractor, endorser, surety, or otherwise, for or with the bankrupt. And such bankrupt shall at all times be subject to examination, orally, or upon written interrogatories, in and before such court, or any commission appointed by the court therefor, on oath, or, if conscientiously scrupulous of taking an oath, upon his solemn affirmation, in all matters relating to such bankruptcy, and his acts and doings, and his property and rights of property, which, in the judgment of such court, are necessary and proper for the purposes of justice; and if in any such examination he shall wilfully and corruptly answer, or swear or affirm falsely, he shall be deemed guilty of perjury, and shall be punishable therefor in like manner as the crime of perjury is now punishable by the laws of the United States; and such discharge and certificate, when duly granted, shall in all courts of justice, be deemed a full and complete discharge of all debts, contracts, and other engagements of such bankrupt, which are proveable under this act, and shall be and may be pleaded as a full and complete bar

to all suits brought in any court of judicature whatever, and the same shall be conclusive evidence of itself in favor of such bankrupt, unless the same shall be impeached for some fraud or wilful concealment by him of his property, or rights of property, as aforesaid, contrary to the provisions of this act, on prior reasonable notice specifying in writing such fraud or concealment.

*If a majority of creditors dissent, or if the court does not on hearing, grant the discharge, the bankrupt may have his right to discharge decided by a jury, or by the Circuit Court, on appeal.*

And if in any case of bankruptcy, a majority in number and value, of the creditors, who shall have proved their debts at the time of hearing of the petition of the bankrupt for a discharge as hereinbefore provided, shall at such hearing file their written dissent to the allowance of a discharge and certificate to such bankrupt, or if upon such hearing, a discharge shall not be decreed to him, the bankrupt may demand a trial by jury upon a proper issue to be directed by the court, at such time and place and in such manner as the court may order; or he may appeal from that decision, at any time within ten days thereafter, to the Circuit Court next to be held for the same district, by simply entering in the District Court, or with the clerk thereof, upon record, his prayer for an appeal. The appeal shall be tried at the first term of the Circuit Court after it be taken, unless, for sufficient reason, a continuance be granted; and it may be heard and determined by said court summarily, or by a jury, at the option of a bankrupt; and the creditors may appear and object against a decree of discharge and the allowance of the certificate, as hereinbefore provided. And if upon a full hearing of the parties, it shall appear to the satisfaction of the court, or the jury shall find that the bankrupt has made a full disclosure and surrender of all his estate, as by this act required, and has in all things conformed to the directions thereof, the court shall make a decree of discharge, and grant a certificate, as provided in this act.

*Of the distribution of the bankrupt's property by the assignees.*

Sec. 5. *And be it further enacted*, That all creditors coming in and proving their debts under such bankruptcy, in the manner hereinafter prescribed, the same being bona fide debts, shall be entitled to share in the bankrupt's property and effects, pro rata, without any priority or preference whatsoever, except only for debts due by such bankrupt to the United States, and for all debts due by him to persons who, by the laws of the United States, have a preference, in consequence of having paid moneys as his sureties, which shall be first paid out of the assets; and any person who shall have performed any labor as an operative in the service of any bankrupt, shall be entitled to receive the full amount of the wages due to him for such labor, not exceeding twenty-five dollars: *Provided*, That such labor shall have been performed within six months next before the bankruptcy of his employer.

*Future and contingent debts or demands provided for, and in case they ever become certain and fixed, to be put on footing with other debts.*

And all creditors whose debts are not due and payable until a future day, all annuitants, holders of bottomry and respondentia bonds, holders of policies of insurances, sureties, endorsers, bail, or other persons, having uncertain or contingent demands against such bankrupt, shall be permitted to come in and prove such debts or claims under this act, and shall have a right, when their debts and claims become absolute, to have the same allowed them; and such annuitants and holders of debts payable in future, may have the present value thereof ascertained, under the direction of such court, and allowed them accordingly, as debts in presenti.

*Creditor proving debt under commission, surrenders other right of action.*

And no creditor or other person, coming in and proving his debt or other claim, shall be allowed to maintain any suit at law or in equity therefor, but shall be deemed

thereby to have waived all right of action and suit against such bankrupt; and all proceedings already commenced, and all unsatisfied judgments already obtained thereon, shall be deemed to be surrendered thereby.

*In case of mutual debts or credits, balance only to be regarded as the debt. Some details.*

And in all cases where there are mutual debts or mutual credits between the parties, the balance only shall be deemed the true debt or claim between them, and the residue shall be deemed adjusted by the set-off; all such proof of debts shall be made before the court decreeing the bankruptcy, or before some commissioner appointed by the court for that purpose; but such court shall have full power to set aside and disallow any debt, upon proof that such debt is founded in fraud, imposition, illegality, or mistake; and corporations to whom any debts are due may make proof thereof by their president, cashier, treasurer, or other officer, who may be specially appointed for that purpose; and in appointing commissioners to receive proof of debts, and perform other duties, under the provisions of this act, the said court shall appoint such persons as have their residence in the county in which the bankrupt lives.

*District Court of the United States to have jurisdiction in all cases of bankruptcy, without power to adjourn into Circuit Court.*

Sec. 6. *And be it further enacted*, That the District Court in every district shall have jurisdiction in all matters and proceedings in bankruptcy arising under this act and any other act which may hereafter be passed on the subject of bankruptcy; the said jurisdiction to be exercised summarily, in the nature of summary proceedings in equity; and for this purpose the said District Court shall be deemed always open. And the district judge may adjourn any point or question arising in any case in bankruptcy into the Circuit Court for the district, in his discretion, to be there heard and determined; and for this purpose the Circuit Court of such district shall also be deemed always open. And the jurisdiction hereby conferred on the District Court shall extend to all cases and controversies in bankruptcy arising between the bankrupt and any creditor or creditors who shall claim any debt or demand under the bankruptcy; to all cases and controversies between such creditor or creditors and the assignee of the estate, whether in office or removed; to all cases and controversies between such assignee and the bankrupt, and to all acts, matters, and things to be done under and in virtue of the bankruptcy, until the final distribution and settlement of the estate of the bankrupt and the close of the proceedings in bankruptcy. And the said courts shall have full authority and jurisdiction to compel obedience to all orders and decrees passed by them in bankruptcy, by process of contempt and other remedial process, to the same extent the Circuit Courts may now do in any suit pending therein in equity. And it shall be the duty of the District court in each district, from time to time, to prescribe suitable rules and regulations and forms of proceedings in all matters of bankruptcy; which rules, regulations, and forms shall be subject to be altered, added to, revised, or annulled, by the Circuit Court of the same district, and other rules and regulations, and forms substituted therefor; and in all such rules, regulations, and forms, it shall be the duty of the said courts to make them as simple and brief as practicable, to the end to avoid all unnecessary expenses, and to facilitate the use thereof by the public at large. And the said courts shall, from time to time, prescribe a tariff or table of fees and charges, to be taxed by the officers of the court or other persons for services under this act, or any other on the subject of bankruptcy; which fees shall be as low as practicable with reference to the nature and character of such services.

*Proceedings to be in district where bankrupt resides, or has his place of doing business.*

Sec. 7. *And be it further enacted*, That all petitions by any bankrupt for the benefit of this act and all petitions by a creditor against any bankrupt under this act, and all proceedings in the case to the close thereof, shall be had in the

District Court within and for the district in which the person supposed to be a bankrupt shall reside, or have his place of business at the time when such petition is filed, except where otherwise provided in this act.

*Notice to be given to creditors to appear and show cause against discharge. Certain details regulated.*

And upon every such petition, notice thereof shall be published in one or more public newspapers printed in such district, to be designated by such court, at least twenty days before the hearing thereof; and all persons interested may appear at the time and place where the hearing is thus to be had, and show cause, if any they have, why the prayer of the said petitioner should not be granted; all evidence by witnesses to be used in all hearings before such court, shall be under oath or solemn affirmation, when the party is conscientiously scrupulous of taking an oath, and may be oral or by deposition, taken before such court, or before any commissioner appointed by such court, or before any disinterested State judge of the State in which the deposition is taken; and all proof of debts or other claims, by creditors entitled to prove the same by this act, shall be under oath or solemn affirmation as aforesaid, before such court or commissioner appointed thereby, or before some disinterested State judge of the State where the creditors live, in such form as may be prescribed by the rules and regulations hereinbefore authorized to be made and established by the courts having jurisdiction in bankruptcy.

*In case of dispute about debt, trial may be had by a jury. False swearing punished as perjury.*

But all such proofs of debts and other claims shall be open to contestation in the proper court having jurisdiction over the proceedings in the particular case in bankruptcy; and as well the assignee as the creditor shall have a right to a trial by jury, upon an issue to be directed by such court, to ascertain the validity and amount of such debts or other claims; and the result therein, unless a new trial shall be granted, if in favor of the claims, shall be evidence of the validity and amount of such debts or other claims. And if any person or persons shall falsely and corruptly answer, swear, or affirm, in any hearing or on trial of any matter, or in any proceeding in such court in bankruptcy, or before any commissioner, he or they shall be deemed guilty of perjury, and punishable therefor in the manner and to the extent provided by law for other cases.

*Circuit Court to have certain jurisdiction in bankruptcy.*

Sec. 8. *And be it further enacted*, That the Circuit Court within and for the district where the decree of bankruptcy is passed, shall have concurrent jurisdiction with the district court of the same district of all suits at law and in equity which may and shall be brought by any assignee of the bankrupt against any person or persons claiming an adverse interest, or by such person against such assignee, touching any property or rights of property of said bankrupt transferable to, or vested in, such assignee; and no suit at law or in equity shall, in any case, be maintainable by or against such assignee, or by or against any person claiming an adverse interest, touching the property and rights of property aforesaid, in any court whatsoever, unless the same shall be brought within two years after the declaration and decree of bankruptcy, or after the cause of suit shall first have accrued.

*Details as to the collection, sale and dividends of the bankrupt's estate. Whole if practicable to be closed in two years.*

Sec. 9. *And be it further enacted*, That all sales, transfers, and other conveyances of the assignee, of the bankrupt's property and rights of property, shall be made at such times and in such manner as shall be ordered and appointed by the court in bankruptcy; and all assets received by the assignee in money shall within sixty days afterwards, be paid into the court, subject to its order respecting its future safe-keeping and disposition; and the court may require of such assignee a bond, with at least two sureties, in such sum as it may deem proper, conditioned for the due and faithful

discharge of all his duties, and his compliance with the orders and directions of the court: which bond shall be taken in the name of the United States, and shall if there be any breach thereof, be sued and suable, under the order of such court, for the benefit of the creditors and other persons in interest.

Sec. 10. *And be it further enacted*, That in order to ensure a speedy settlement and close of the proceedings in each case in bankruptcy, it shall be the duty of the court to order and direct a collection of the assets, and a reduction of the same to money, and a distribution thereof, at as early periods as practicable consistently with a due regard to the interests of the creditors: and a dividend and distribution of such assets as shall be collected and reduced to money, or so much thereof as can be safely so disposed of, consistently with the rights and interests of third persons having adverse claims thereto, shall be made among the creditors who have proved their debts, as often as once in six months from the time of the decree declaring the bankruptcy; notice of such dividends and distribution to be given in some newspaper or newspapers in the district, designated by the court, ten days at least before the order therefor is passed; and the pendency of any suit at law or in equity, by or against such third persons, shall not postpone such division and distribution, except so far as the assets may be necessary to satisfy the same; and all the proceedings in bankruptcy in each case shall, if practicable, be finally adjusted, settled and brought to a close, by the court, within two years after the decree declaring the bankruptcy. And where any creditor shall not have proved his debt until a dividend or distribution shall have been made and declared, he shall be entitled to be paid the same amount, pro rata, out of the remaining dividends or distributions thereafter made, as the other creditors have already received, before the latter shall be entitled to any portion thereof.

*Assignee under order of court, obtained on public notice, to have power to redeem mortgaged and hypothecated property, comply with conditions, and to compound doubtful or contested claims.*

Sec. 11. *And be it further enacted*, That the assignee shall have full authority, by and under the order and direction of the proper court in bankruptcy, to redeem and discharge any mortgage or other pledge, or deposit, or lien upon any property, real or personal, whether payable in present or at a future day, and to tender a due performance of the conditions thereof. And such assignee shall also have authority by and under the order and direction of the proper court in bankruptcy, to compound any debts, or other claims or securities, due or belonging to the estate of the bankrupt; but no such order or direction shall be made until notice of the application is given in some public newspaper in the district, to be designated by the court, ten days at least before the hearing, so that all creditors and other persons in interest may appear and show cause, if any they have, at the hearing, why the order or direction should not be passed.

*A person discharged once as a bankrupt not to be discharged again unless his estate pay seventy-five per cent.*

Sec. 12. *And be it further enacted*, That if any person who shall have been discharged under this act shall afterward become bankrupt, he shall not again be entitled to a discharge under this act, unless his estate shall produce (after all charges) sufficient to pay every creditor seventy-five per cent. on the amount of the debt which shall have been allowed to each creditor.

*Proceedings in bankruptcy to be matter of record—Fees.*

Sec. 13. *And be it further enacted*, That the proceedings in all cases in bankruptcy shall be deemed matters of record; but the same shall not be required to be recorded at large, but shall be carefully filed, kept, and numbered in the office of the court, and a docket only, or short memorandum thereof, with the numbers, kept in a book by the clerk of the court; and the clerk of the court, for affixing his name and the seal of the court to any form, or certifying a copy thereof, when

required thereto, shall be entitled to receive, as compensation, the sum of twenty-five cents, and no more. And no officer of the court, or commissioner, shall be allowed by the court more than one dollar for taking the proof of any debt or other claim of any creditor or other person against the estate of the bankrupt; but he may be allowed, in addition, his actual travel expenses for that purpose.

*Regulations in regard to partnerships, and partnership and separate property.*

Sec. 14. *And be it further enacted*, That where two or more persons, who are partners in trade, become insolvent, an order may be made in the manner provided in this act, either on the petition of such partners, or any one of them, or on the petition of any creditor of the partners; upon which order all the joint stock and property of the company, and also all the separate estate of each of the partners, shall be taken, excepting such parts thereof as are herein excepted; and all the creditors of the company, and the separate creditors of each partner, shall be allowed to prove their respective debts; and the assignees shall also keep separate accounts of the joint stock or property of the company, and of the separate estate of each member thereof; and after deducting out of the whole amount received by such assignees, the whole of the expenses and disbursements paid by them, the nett proceeds of the joint stock shall be appropriated to pay the creditors of the company, and the nett proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors; and if there shall be any balance of the separate estate of any partner, after the payment of his separate debts, such balance shall be added to the joint stock, for the payment of the joint creditors; and if there shall be any balance of the joint stock, after payment of the joint debts, such balance shall be divided and appropriated to and among the separate estates of the several partners, according to their respective rights and interests therein, and as it would have been if the partnership had been dissolved without any bankruptcy; and the sum so appropriated to the separate estate of each partner shall be applied to the payment of his separate debts; and the certificate of discharge shall be granted or refused to each partner, as the same would or ought to be if the proceedings had been against him alone under this act; and in all other respects the proceedings against partners shall be conducted in the like manner as if they had been commenced and prosecuted against one person alone.

*Copy of order of decree of bankruptcy to be recited in assignees sale of lands, and this with certified copy of order, to be evidence of the bankruptcy and assignment.*

Sec. 15. *And be it further enacted*, That a copy of any decree of bankruptcy, and the appointment of assignees, as directed by the third section of this act, shall be recited in every deed of lands, belonging to the bankrupt, sold and conveyed by any assignees under and by virtue of this act; and that such recital, together with a certified copy of such order, shall be full and complete evidence both of the bankruptcy and assignment therein recited, and supersede the necessity of any other proof of such bankruptcy and assignment to validate the said deed; and all deeds containing such recital, and supported by such proof, shall be as effectual to pass the title of the bankrupt of, in, and to the lands therein mentioned and described to the purchaser, as fully, to all intents and purposes, as if made by such bankrupt himself immediately before such order.

*Jurisdiction of the Circuit Court of the United States for the District of Columbia,*

Sec. 16. *And be it further enacted*, That all jurisdiction, power, and authority conferred upon and vested in the district court of the United States by this act, in cases in bankruptcy, are hereby conferred upon and vested in the Circuit Court of the United States for the District of Columbia, and in and upon the supreme or superior courts of any of the Territories of the United States, in cases of bankruptcy where the bankrupt resides in the said District of Columbia or in either of the said Territories.

Act to take effect from 1st of February 1842.

Sec. 17. And be it further enacted, That this act shall take effect from and after the first day of February next.

JOHN WHITE,  
Speaker of the House of Representatives.  
SAM'L L. SOUTHARD,  
President of the Senate pro tempore.

Approved, August 19, 1841.

JOHN TYLER.

Lockages on the Erie Canal.

A correspondent has obligingly furnished us with the following table of lockages at Alexander's lock, three miles west of Schenectady, for the months of April, May, June and July, in each of the last seven years:

	1835	1836	1837	1838	1839	1840	1841
April, .	1,281	505	986	1,654	872	678	125
May, ..	3,718	3,467	3,161	3,427	3,235	3,597	4,539
June, ..	3,509	4,085	2,028	3,419	3,335	3,238	4,548
July, ..	3,500	3,724	2,352	2,969	3,261	3,336	4,461
	12,008	11,781	8,527	11,469	10,703	10,849	13,727

The increase of lockages, comparing the present year with 1835, is 1719 in four months. The lockage of boats which are conveying stone and other materials for the locks and aqueducts between Albany and Schenectady, and which pass this lock, make up a great share of the difference of the number between 1835 and 1841.

With double locks, which would increase the capacity of the canal at least 80 per cent., there could be no necessity for the "more speedy enlargement" and a consequent debt of some twenty or twenty-five millions of dollars for this work alone. It is this extravagant and unnecessary borrowing of millions on millions, which has run down the credit of the State, thirty-two and a half per cent. on 5 per cent. stock, since 1833—at a time too when the canal revenues are rapidly increasing, and when one or two hundred millions of dollars have been added to the assessed value of property in the State.—*Albany Argus*.

The following article from the New York Journal of Commerce, of the 10th inst., giving an account of the recent very important discoveries in Mammoth Cave, and of the improvements for the accommodation of visitors, made and making by its enterprising proprietor, our fellow-citizen, Dr. Croghan, will be read with much interest. We learn that the cave is already thronged with visitors :

The Mammoth Cave.

I have heretofore called public attention, through the columns of the Journal, to this wonder of nature, believing that there is no other place on this continent to which invalids can resort for restoration of health with equal advantage. I speak from my own personal knowledge and observation, having spent much time at the cave during the late war, when it was extensively worked for saltpetre. The cave at that period was worked four or five years, and at one time about fifty or sixty hands were employed inside the cave, about one mile from its mouth; oxen also were used in the cave to draw the earth to the hoppers. During all the time the cave was worked, I did not know a case of sickness among the hands.

I have, within a few days past, received a letter from a highly respectable and intelligent gentleman residing in the State of Kentucky, who has very accurate knowledge of those portions of the cave which have been discovered since I traversed it, and from him have obtained several interesting particulars which I have no doubt will gratify the curious. He also states some particulars which will greatly interest those who are in quest of health. I give extracts from my correspondent's letter in his own words :

"The improvements within the cave commenced about a half a mile from the mouth, in that branch formerly known as the Great Bat room, but now as Audubon's avenue, named by the proprietor after his old friend, the celebrated ornithologist. They consist of chambers 14 feet square and 10 feet high. The chambers are placed aside of the wall of the cave and 10 feet apart. A handsome panel door opens upon the avenue, and to the side of those to be occupied by families are sliding doors. A curtain of 10 feet in width extends from one chamber to the other, and when let down and the sliding door open, a communication from one chamber to another can be had without being seen by those promenading the avenue. The reasons which influenced the proprietor in selecting this situation were its isolated position, its vast size, 60 feet wide by as many high, its contiguity to good water, its affording a pleasant promenade to those wishing to visit the hotel above, its greater convenience and cheapness than if it had been at a more remote distance; and, moreover, it is at the nearest point where the atmosphere is uniform during winter and summer.

"Owing to the extensive hotel which the proprietor is erecting above ground, there have been only four or five chambers erected in the cave ; they exhibit a most picturesque appearance. I have no doubt but the hotel above will be measurably deserted as soon as the necessary number of chambers below are completed. A restaurant will be established at a convenient distance from the chambers. The cave possesses peculiar fitness for such an establishment ; because meats, butter, &c., will keep any length of time. Cooking will be performed with alcohol. Such an establishment as this is imperiously called for by the community. Last winter a number of persons laboring under chronic diseases intended taking up their abode within the cave, but were disappointed owing to the accommodation within not being completed. The peculiarity of the air of the cave, its extraordinary influence on the healthy as well as diseased, would constitute a perfect study for the medical philosopher. Its temperature is 60 degrees Fahrenheit, summer and winter. It is never a degree above or below 60. Nothing putrefies in the cave. The water pipes which conducted the water to the saltpetre vats in 1810, are now in perfect preservation, and the corn cobs left where the oxen were fed, thirty years ago, are as sound as at that day. Lamps burn with more brilliancy within than without the cave. This occurs in every part of it. The cave is abundant in minerals, such as the sulphate of lime, or gypsum ; epsom and glauber salts ; nitrous earth, chalk, sand, flint, pebbles, red and grey ochre, calcareous spar, chalcedony, crystallized carbonate of lime, polite, crystals of quartz, &c. The discoveries recently made in the cave greatly exceed in extent all that was known at the period of your stay there. A gentleman of unquestionable veracity, and who has ample opportunities for acquiring correct information, having resided there and in its vicinity thirty years, gives it as his opinion, that there are not less than two hundred square miles of cave. No wild beast, reptile, or vermin has ever been seen in the cave. No dog has ever been prevailed upon to enter the Mammoth Cave—often has this been tried. What this peculiarity results from, I know not. Nothing inhabits the Mammoth Cave but the bat during the winter, and they are confined to a particular spot. I am told there are rats, but I have never seen them. The country south of the cave, which in 1813 was barren, is now grown over with timber.

"The cave is eight miles from the Dripping springs, and eight and a half miles from Pruitt's knob. The turnpike from Louisville to Nashville runs within six miles of it.

"No man can form the most remote idea of this the most wonderful of all nature's wonders, except by a visit to it ; and to describe it, with all its recent discoveries, would require a volume. The discoveries made in the cave the last two years, are, in the estimation of many, better worth seeing than all the cave as previously known. They consist of numerous branches or avenues, domes of great size and beauty, and a river terminated by a lake. Until recently, no person had explored that branch of the cave in which the bottomless pit is situated beyond the pit ; now the most interesting and extensive part of the cave is beyond the pit.—



For this discovery we are indebted to a gentleman of Georgetown, Ky., named Stevenson. He ascertained that the pit was nothing but a chasm of great depth, extending across the cave and therefore got a ladder of sufficient length to reach over. On this ladder this daring man, the guide, and some two or three others, crossed this deep and frightful chasm, and, on reaching the opposite part, found themselves in a cave of considerable size, which, after exploring to the distance of two miles, brought them, to their utter astonishment and delight, to the celebrated river of the cave. It is in this region of the cave, unknown until the last two years, where you meet with the great domes, the cataract, the river, the lake and the gigantic stalagmite columns. In order to gratify the numerous visitors with a view of this deeply interesting section of the cave, the proprietor has had a large and strong bridge with suitable railways, erected over the bottomless pit, rocks have been removed so as to render walking pleasant in the different avenues, stair-steps have been placed where required, boats are in readiness for those who feel inclined to take aquatic excursions on the river, and Bengal lights can be had by such as wish to witness the sublime spectacle which is exhibited by an illumination of the various domes.

"The river is three miles from the mouth of the cave.—Where you first strike, it is not very wide, but of great depth; as you descend, it becomes wider; and it has a gentle current. I have never descended the river more than half a mile, but it is from the point where you first see it to the lake five miles; and Mr. Gorin, a highly respectable lawyer, and a former Representative of Warren county, informs me that there is a sufficiency of water in this river to float the largest class of steamboats. It is in this river where those fish without eyes have been found. It was the opinion of Professor Davidson, of Transylvania University, (who wrote a pamphlet respecting the cave,) that those fish had eyes and were blinded by light; in other words, that the apparent want of eyes arose from the sudden contraction of that organ, occasioned by the stimulus of light. This is not the case; a Professor of the Louisville Institute anatomized the head of this fish, and says there is no indication of there being such an organ. The lake of the cave has never been explored; some few have attempted it, but they have become alarmed and abandoned the enterprise. Stevenson, of Georgetown, has ventured farther on it than any other person. He passed, while on it, I am told, the mouths of four rivers or caves filled with water. It is of great depth, and is supposed of great width. This, however, I conceive doubtful, as I cannot conceive of the existence of an arch of sufficient expansion to admit of a lake of great dimensions. In descending the river to the lake, the mouths of a great many caves were seen, all of which are to be explored."

In my next article, I will continue my extracts, in which my correspondent gives an account of the discovery of the great cataract last November. The present article is lengthy; I therefore pause, and will continue it in the next or some future number if you have space. M.

[From the *Buffalo Commercial Advertiser*, August 10th.]

#### **Destruction of the Steamboat Erie by Fire, and the loss of One Hundred and Seventy Lives!**

Little did we think yesterday in penning a brief paragraph in commendation of the *Erie*, that to-day we should be called upon to record the destruction of that boat together with a loss of life unequalled on our own or almost any other waters. The *Erie* left the dock at 10 minutes past 4, P. M., loaded with merchandise destined for Chicago, and, as nearly as now can be ascertained, about two hundred persons, including passengers and crew on board. The boat had been thoroughly overhauled, and although the wind was blowing fresh, everything promised a pleasant and prosperous voyage. Nothing occurred to mar this prospect till about 8 when the boat was off Silver Creek, about 8 miles from shore, and 33 miles from this city, when a slight explosion was heard, and immediately, instantaneously almost, the whole vessel was enveloped in flames. Capt. Titus, who was on the upper

deck, at the time, rushed to the Ladies' Cabin to obtain the Life Preservers, of which there were from 90 to 100 on board, but so rapid had been the progress of the flames, he found it impossible to enter the cabin. He returned to the upper deck, on his way giving orders to the Engineer to stop the engine, the wind and the headway of the boat increasing the fierceness of the flames and driving them aft. The Engineer replied that in consequence of the flames he could not reach the engine. The steerman was instantly directed to put the helm hard a starboard. The vessel swung slowly round, heading to the shore, and the boats—there were three on board—were then ordered to be lowered. Two of the boats were lowered, but in consequence of the heavy sea on, and the headway of the vessel, they both swamped as soon as they touched water. We will not attempt to describe the awful and appalling condition of the passengers. Some were frantic with fear and horror, others plunged headlong madly into the water, others again seized upon anything buoyant upon which they could lay hands. The small boat forward had been lowered. It was alongside the wheel, with three or four persons in it, when the captain jumped in and the boat immediately dropped astern filled with water.

A lady floated by with a life preserver on. She cried for help.—There was no safety in the boat. The captain threw her the only oar in the boat. She caught the oar and was saved. It was Mrs. Lynde of Milwaukee, and she was the only lady saved. In this condition, the boat a mass of fierce fire, and the passengers and crew endeavoring to save themselves by swimming or supporting themselves by whatever they could reach—they were found by the *Clinton* at about 10 P. M. The *Clinton* left here in the morning, but in consequence of the wind had put into Dunkirk. She lay there till nearly sunset, at which time she ran out, and had proceeded as far as Barcelona, when just at twilight, the fire of the *Erie* was discovered some 20 miles astern. The *Clinton* immediately put about and reached the burning wreck about 10. It was a fearful sight.—All the upper works of the *Erie* had been burned away. The engine was standing, but the hull was a mass of dull, red flame. The passengers and crew were floating around, screaming in their agony and shrieking for help. The boats of the *Clinton* were instantly lowered and manned, and every person that could be seen or heard was picked up, and every possible relief afforded. The *Lady*, a little steamboat lying at Dunkirk, went out of that harbor as soon as possible, after the discovery of the fire, and arrived soon after the *Clinton*. It was not thought by the survivors that she saved any. By 1 A. M. all was still except the dead crackling of the fire. Not a solitary individual could be seen or heard on the wild waste of waters. A line was then made fast to the remains of the *Erie's* rudder, and an effort made to tow the hapless hull ashore. About this time the Chautauque came up and lent her assistance. The hull of the *Erie* was towed within about four miles of the shore, when it sunk in eleven fathoms water. By this time it was daylight. The lines were cast off. The *Clinton* headed for this port which she reached about 6 o'clock. Of those who are saved, several are badly burned, but none are dangerously injured so far as we have heard.

*Origin of the Fire.*—Among the passengers on board were six painters in the employ of Mr. W. G. Miller of this city, who were going to Erie to paint the steamboat *Madison*. They had with them demijohns filled with spirits of turpentine and varnish, which, unknown to Capt. Titus, were placed on the boiler deck directly over the boilers. — One of the firemen, who was saved, says he had occasion to go on deck, and seeing the demijohns, removed them. They were re-placed, but by whom is not known. Immediately previous to the bursting forth of the flames, as several on board have assured us, a slight explosion was heard. The demijohns had probably burst with the heat, and their inflammable contents, taking fire instantly, communicated to every part of the boat, which having been freshly varnished caught as if it had been gunpowder.

Not a paper nor an article of any kind was saved. Of course it is impossible to give a complete list of those on board. Of cabin passengers Capt. Titus thinks there were



between 30 and 40, of whom 10 or 12 were ladies. In the steerage were about 140 passengers, nearly all of whom were Swiss and German immigrants. They were mostly in families with the usual proportion of men, women and children. The heart bleeds at the thought.

It is a singular coincidence that the *Erie* was burned at almost identically the same spot where the *Washington* was burned in June, 1838. Capt. Brown, who commanded the *Washington* at that time happened to be on board the *Clinton*, and was very active in saving the survivors of the *Erie*.

We annex a list of the lost and saved so far as we have been able to ascertain :

Lost.

W. M. Camp, Harrisburg, Pa.  
John C. Pool, New York city.  
E. S. Cobb, Ann Arbor, Mich.  
Otto Torp, N. Y., wife and three children.  
Lloyd Gelston, Erie, Clerk.  
Mr. Joles, Steward of the boat.  
Mrs. Giles Williams, Chicago.  
Chs. J. Lynde, Milwaukee.  
Watts S. Lynde, Homer, N. Y.  
Mrs. Wm. H. Smith, and child, Schenectady.  
A. Sears, Philip Barbier, Henry Weaver, Wm. Thoma, —  
Evarts, Peter Finney, painters, Buffalo, in the employ of  
Wm. G. Miller.  
J. D. Woodward, New York.  
Wm. Griffin, Mississippi.  
D. S. Sloan, Geneva.  
F. Stow, Canada.  
Wm. Sacket, Michigan.  
Mrs. Spencer and two children.  
Mrs. Dow.  
Mrs. Robinson, Ballston Spa, N. Y.  
Miss Robinson, do  
Miss King, do  
Mr. Moore, lady and 2 children, from Yates Co., moving to  
Michigan  
Orin Green, Rushville, Yates Co.  
Roome Button, from near Fort Plain.  
Charles S. Mather, Mt. Clemens, Mich., has got a family at  
that place.

List of Swiss passengers shipped by Messrs. P. L. Parsons & Co.

Names.	Numbers.	Destination.
Geo. Zuggler and family	6	Akron, Ohio.
John Flang do	2½	do
Martin Zulgen do	2	do
Geo. Rettenger do	3	do
Geo. Christian do	5	do
Geo. Neigold do	7½	do
M. Reibold do	3	do
Geo. Steinman do	2	do
Peter King do	2	do
L. Gilling do	3	do
Peter Schmidt	1	do
John Netzei	1	do
Peter Schneider do	5	Cleveland.
J. Newminger do	4	do
S. Schapler do	5½	do
R. Filling do	2	do
Mr. Obens	1	do
J. Korten	1	Dover, Ohio.
C. Durler	1	do
Mr. Lithhold and family	5½	do
C. Deitcherick do	2	do
C. Wilbur do	6	do
C. Palmer do	5	Masillon, Ohio.
J. Garghum do	5½	do
J. Mulliman	3	do
C. Kellerman	1	Chicago.
C. Mintch and friend	2	do

Mintch was recently from Europe, and left his family in this city. He was on his way West to secure land for ultimate settlement.

This list comprises the names of 87 persons ; as it is customary to pass children at half price, the whole number in this list must have reached one hundred souls. Only four persons of the whole, including Durler and three others whose names we could not learn, were saved.

Saved.

We are indebted to Mr. Gibson, clerk of the De Witt Clinton, for the following list of persons saved by that boat:

Jerome McBride, wheelman, badly burned.  
James Lovery, do  
Hiram De Graff, passenger.  
Dennis McBride, 1st mate.  
Theodore Sears, painter.  
J. H. St. John, passenger to Chicago.  
C. Hogg, do badly burned.  
William Wadsworth, one of the band, Erie.  
Alfred O. Wilkeson, East Euclid, Ohio.  
William Hughes, 2d mate.  
Luther B. Searls, fireman.  
Thomas J. Tann, Pittsford, N. Y.  
John Winchel, Buffalo.  
Edgar Clemens, 1st engineer.  
Son of George Bebee, Cleveland.  
Harrison Forrester, Harbor Creek, Pa.  
Thomas Quinlin, Middlefield, Mass.  
Three German passengers, burned badly.  
Robert Robinson, colored man, barber.  
— Johnson, do 3d cook.  
Giles Williams, Chicago.  
Capt. Titus, captain of the boat.  
Mrs. Lynde, Milwaukee.  
Christian Durler, Holmes Co., Ohio.  
— Rice, Hydraulics, Buffalo, badly burned.

The Mayor very properly and promptly convened the Common Council, and appropriate measures have been taken to relieve such sufferers as are in need of assistance.

We have never seen our city in more profound gloom.— The destruction of the Erie, and the appalling, horrible loss of life, impress the heart of every one.

Later.—By the Robert Fulton, Captain Hart, we learn that two more persons were saved by the people of Dunkirk. One was Fred. Parmalee, the bar-keeper of the Erie, and an American, name unknown.

The Fulton also picked up two boats, one belonging to the Erie, and the other a sail-boat, belonging to Dunkirk, which was swamped on its way to the rescue. Those on board were picked up.

Green Corn.

Five thousand dollars worth of *Green Corn* has been bought up in Burlington Co., in this State, already this season for the New York market alone. Large quantities of vegetables are also sent to Philadelphia from that fertile county. A single farmer near Burlington, last week, received, in the Philadelphia market, near \$700 for his week's marketing. This is better than working a gold mine, or speculating in morus multicaulis or fancy stocks.

[Newark Daily Adv., Aug. 19.]

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No. 9.

## Mississippi Bonds.

In a late Number, page 97, was inserted a correspondence between Governor McNutt and Messrs. Hope & Co., in relation to the payment of interest on the bonds of Mississippi—a subscriber has placed in our hands the “Southron” which contains the legal opinion of Charles Scott, Esq., given at the request of the Union Bank, that the State is “morally, politically and legally bound to discharge her bonds”—it is as follows:

### Opinion.

JACKSON, MISSISSIPPI, }  
July 27, 1841. }

*James Elliot, Esq., President of the Mississippi Union Bank.*

SIR:—Your communication of the 16th inst., in which my opinion is requested, as to the liability of the State of Mississippi upon her bonds, executed to, and sold by the Union Bank, has been duly considered.

Deeply impressed with the importance which the question has assumed in the eye of the civilized world, I have bestowed upon it all the thought and reflection which my mind is capable of affording. Constituting an engrossing theme of State politics, it has necessarily given rise to that diversity of views, which is ever exhibited in times of party excitement. Unbiased by motives of either a personal or political character, the investigation which I have given to the subject results in the clear and deliberate conviction that, the State is liable, upon the soundest principles of moral and legal obligation.

True it is, that there is no process known to the law by which a State may be peaceably enforced to discharge or liquidate her debts—however honestly or legally contracted. Those who trust a State, alone depend upon her faith and honor. The State of Mississippi, except as to such powers as are surrendered to the Federal Government, is a free and independent sovereignty; and although she has established a constitutional forum, where all controversies arising between the State and individuals are to be heard and determined, still, in no event, can she be reached by means of an execution. But the question involving the *legality* or *illegality* of the bonds, is one which the people or citizens of the State are legally incompetent to determine; for, in obedience to the requisitions of the 10th section of the 7th article of our Constitution, the Legislature have conferred upon the Court of Chancery original jurisdiction of all questions which may arise between the State and individuals, whether citizens or aliens. That law provides that, “any *person* or *persons*, deeming him, her, or themselves, to have a just claim against the State, may file a bill in Equity, in the Superior Court of Chancery, against the State of Mississippi,” &c. Then, it is perfectly clear that, where any controversy exists as to the legality of any claim against the State, the only lawful and constitutional forum where the question can be tried and settled, is that appointed and constituted by the law. The decree of the Chancellor, or of the High Court, in case of appeal, on such a case, would be binding and obligatory upon the parties, and there can be no truth in the argument, that such decree, if rendered against the State, would not be binding, “in relation to the rights

of the parties to the constitutional compact.” Who, let us inquire, are the authors and framers of the Constitution? Who delegated the judicial power? The people themselves. They authorized and empowered the Legislature “to direct in what manner and in what courts suits might be brought against the State.” They then immediately delegated to the Legislature the right to establish the Court of Chancery, with this judicial power, and consequently, the decree of that court, upon the hearing of this question, would not only be obligatory and conclusive, upon every department of the State Government, but would be binding upon the whole people. The Executive has no authority whatever to pronounce upon the legality of the State bonds, and when he undertakes to do so, it is a high assumption of power, on his part, and in derogation of the fundamental law of the land. It is the exercise of a judicial power, and therefore, in utter violation of the 1st Section of the 2d article of the Constitution, which declares that, “the powers of the Government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to wit: those which are Legislative, to one; those which are Judicial, to another; and those which are Executive, to another.” No one can hesitate to believe that the question involving the State’s liability is entirely a legal one, and therefore, its decision calls for the exercise of judicial power and discretion. The power to construe a law or contract is vested by the Constitution in the judiciary—for it is the appropriate function of the judiciary to construe laws. “If then, a case under the Constitution and laws does arise,” says a great jurist, “if it is capable of judicial investigation and decision, we see that the very tribunal is appointed to make the decision; and the only question open for controversy is, whether such decision, when made, is conclusive or binding upon the people.” The reason why they should be bound, has been already submitted. But my design is to prove that this is a question capable of judicial examination and decision, and as such, His Excellency, A. G. McNutt, in undertaking to declare and publish to the world that, “the State will never pay the five millions of bonds, issued in June 1838, or any portion of the interest due, or to become due thereon,” has violated his executive duty, and transcended the limits of his rightful prerogative. The people themselves, as has been shown, cannot determine the question in hand, because they have delegated that power to the judicial department of the State. They may, it is true, disregard the law, and declare through their Representatives in the Legislature, that they will not provide the ways and means of paying either the bonds, or the interest accruing thereon; but they cannot refuse payment upon the ground that the bonds are illegal, unless such be the decree of the Chancellor. But where are the people—where is the Legislature or Government on earth, who would repudiate a debt which had been solemnly decided to be just and legal, by a properly constituted power? The bond-holders will not for a moment entertain the opinion or judgment of his excellency; for they have a clear and constitutional right to be heard in the Superior Court of Chancery: and if the bonds should be decided to be legal instruments, there need to be no apprehension but that the State will discharge them to the uttermost farthing.

The next proposition which I shall attempt to establish is, that the State bonds were created in accordance with the requisitions of the Constitution, and as such, were legally

sold and negotiated. The bonds, upon their face, evince no evidence of their illegality. They are in due form, signed by the Executive, countersigned by the Treasurer, and are attested by the Great Seal of the State. Clothed with all the solemnities of law and sovereignty itself, they, *prima facie*, are legal obligations. But it is urged that they were executed for the purpose of raising a loan of money upon the faith and credit of the State, and as the law or act incorporating the Mississippi Union Bank by virtue of which they were executed, was not passed and approved in accordance with the requisitions of the Constitution, the bonds are unconstitutional and void, because their validity depends upon the validity of the law or charter authorizing their issuance. Then the question resolves itself into this—is the act incorporating the Mississippi Union Bank a constitutional act? All remember the general suspension of the banks in 1837, and the serious train of embarrassments which followed upon the heels of that event. The monetary affairs of the whole Union felt the shock. Despair brooded over the whole land. The very wheels of Government were clogged—individual enterprise drooped, and the face of business wore a melancholy aspect. It is needless to remark that, our own State and people experienced the fatal consequences of the suspension. What was to be done? Credit seemed destroyed, and the people were threatened with ruin and bankruptcy. In the midst of alarm and panic, the Governor convened the Legislature. That body met, and the proposed measure of relief was, the establishment of the Union Bank. None doubted the right of the Legislature to charter a bank. The act of any one Legislature, when approved by the Executive, is sufficient to incorporate an ordinary bank; but the 5th section of the Union Bank Charter contains the following provision: “Be it enacted, that in order to facilitate the said Union Bank for the said loan of fifteen million five hundred thousand dollars, the faith of this State be, and is hereby pledged, both for the security of the capital and interest, and that seven thousand five hundred bonds, of two thousand dollars each, to wit: eighteen hundred and seventy-five, payable in twelve years: eighteen hundred and seventy-five, in fifteen years, eighteen hundred and seventy-five, in eighteen years, and eighteen hundred and seventy-five, in twenty years, and bearing interest at the rate of five per cent. per annum, shall be signed by the Governor,” &c. Now, it is contended by those who are opposed to paying the bonds that, this section proposed to raise a loan of money upon the credit of the State, and pledge the State faith for the payment or redemption of that loan—and therefore is unconstitutional, unless it was passed and approved in accordance with the forms and requisitions of the 9th section of the 7th article of the Constitution, which is as follows:—“No law shall ever be passed to raise a loan of money upon the credit of the State, or to pledge the faith of the State for the payment or redemption of any loan or debt, unless such law be proposed in the Senate or House of Representatives, and be agreed to by a majority of the members of each house, and entered on their journals, with the yeas and nays taken thereon, and be referred to the next succeeding Legislature, and published for three months previous to the next regular election in three newspapers of this State; and unless a majority of each branch of the Legislature so elected, after such publication, shall agree to pass such law,” &c. The Constitution then requires, 1st, that the act proposing to raise a loan of money upon the credit of the State, or to pledge the faith of the State for the payment or redemption of any loan or debt, shall be proposed in the Senate or House of Representatives: 2d, that it shall be agreed to by a majority of each house: 3d, entered on their journals, with the yeas and nays taken thereon: 4th, be referred to the next succeeding Legislature: 5th, be published in three newspapers of the State for the space of three months previous to the next general election, 6th, passed by a majority of the Legislature elected next after such publication: and 7th, approved by the Governor. Were not all these requisitions fully complied with, at least, in contemplation of law, and in the purview and meaning of the Constitution? That the act originated in one of the two branches of the Legislature, cannot form a matter of doubt: that it

was passed by a majority of each house, the journals of the Legislature prove: that it was entered on the journals, with the yeas and nays taken thereon, the journals also establish: that it was referred to the People and the next Legislature, the 47th section of the Charter itself shows, which enacts that “the fifth section, whereby the faith of this State is pledged, &c., be referred to the next Legislature, in pursuance of the 9th section of the 7th article of the Constitution:” that it was passed by a majority of the next Legislature, the journals of that body testify: and, that it was approved by the Executive on the 5th of February, 1838, none will controvert.

But it is contended that the act was not published in three newspapers of this State for three months previous to the next general election, and therefore, it is no law, and the bonds were issued under a void authority. The journals of the Legislature, of course, do not show whether the necessary publication was made or not. That such publication was made, is asserted by some and denied by others. How the fact really is, I have no means of ascertaining nor does it matter. In the latter clause of the 47th section of the Charter of the Bank, provision is made for its publication, under the direction of the Governor. A more proper person could not have been selected to superintend its publication. The Constitution merely declared that the act should be published, and did not designate who should attend to its publication. It certainly did not contemplate that the Legislature, as a body, should do anything more than order the act to be published; for, if published at any time, or by any person, in obedience to such order, for three months before the then next election of members to the Legislature, it would assuredly have been considered a legal publication. Then, it seems to me that, all the Legislature could do, was done, in ordering the publication of the act, and making it obligatory upon the Executive to see that it was done. Who were the persons to be satisfied of the fact of publication? The members of the Legislature, who were sworn to support the Constitution. Were they satisfied? The presumption is that they were—for they passed the act, and we must not charge them with a violation of their oaths. Who else was to be satisfied? The Executive—for he approved the act, which, if unconstitutional, it was his power and duty to veto. But he did not veto it, but in fact gave it his sanction and approval: therefore, we must infer, for charity's sake, at least, that he too was satisfied that all the forms and requisitions of the Constitution had been fully complied with, or he never would have signed and approved the act. But, the fact of publication must be presumed, and, in law, cannot be inquired into. The Charter or act of incorporation, is a public act, is in the nature of a law, and, as such, must be construed. Its constitutionality must be judged of according to what it purports to be upon its face, which the courts of the country cannot look beyond. It is a well settled rule in the construction of a law that everything is to be presumed in favor of its constitutionality. A multitude of authorities might be referred to in support of this position.

The people, through their Representatives, as I have shown, have declared that, the State may be sued in the Court of Chancery. Then, when sued, she comes into court, to answer as a mere individual. Her case is to be heard and decided upon the same rules and principles of law applicable to the case of an individual or private person. Suppose, then, that a suit is commenced against a mere private person, and the plaintiff relies upon an act of the Legislature to maintain his case, which act the defendant alleges to be unconstitutional. How will the court determine the question? It will alone look to the context, terms and subject matter of the law—the face of the act, in deciding upon its constitutionality. It will not permit the defendant to go beyond the face of the act. Then, if the State in subjecting herself to be sued in the ordinary courts of the country, has placed herself, when sued, in the attitude of a private person, so far as that suit is concerned, of course, she is bound by the same rules of law and evidence which would relate to the suit of a private individual. Now, the charter of the bank or act of incorporation, having been passed by a second Legislature, and having received the approval and constitu-

tional sanction of the Executive, must in law be presumed, in all respects, constitutional. The argument is susceptible of many familiar illustrations. The Constitution requires that, every bill shall be read and passed three several times, in each branch of the Legislature, be signed by the Speakers, &c. and receive the approval of the Governor, before it shall become a law. Now, the mere fact that the bill was read and passed three several times in each House, is no necessary part of the act, and never appears upon its face; and the judiciary must presume and take it for granted that all the requisitions of the Constitution have been complied with, otherwise the Speaker of the House, the President of the Senate would never have signed, and the Governor approved it. Every law or act read from the statute book, if my position be incorrect, would have to be proved. Another section of the Constitution declares that "all bills for raising revenue shall originate in the House of Representatives."—Now, the fact that such bill originated in the House, constitutes no part of the bill, and yet that fact must be presumed, to give it effect. And why? Simply because those who passed, signed and approved it were the sworn officers or agents of the people, and we must not presume that they violated their duty. Other striking illustrations, drawn from the Constitution, might be adduced, in support of my position. But I contend farther that, the State is estopped from denying the fact of publication. I have shown that, the members of the Legislature and the Executive were the only persons who were to be satisfied that the act was duly published. They are the only properly constituted judges, appointed and chosen by the people themselves, of the fact of publication. They, by passing the act, and the Governor by approving it, have declared to the world that, there was no constitutional barrier or impediment to the passage and approval of the act,—that the requisitions of the fundamental law had, in all things, been strictly complied with, and therefore, the act is constitutional.—I repeat that, the Constitution makes them the sole judges of the fact of publication, and this is not mere assertion. In 1 Peters' Reports, in the case of *Ross vs. Barland, et al.*, page 666, the court decides this principle. Commissioners were appointed under the act relative to claims of lands of the United States, south of the State of Tennessee, and were authorized to hear evidence as to the time of the actual evacuation of the territory by the Spanish troops, and to decide upon the facts. The law gave them the power to hear and decide all matters respecting such claims, and to decide thereon, according to justice and equity. The court decided that they were bound to presume that every fact necessary to warrant the certificate, *in the terms of it*, was proved before the commissioners, and that consequently, it was shown to them, that the final evacuation of the Spanish troops took place on the 30th of March, 1793. Now, apply this principle to the case in hand. The Constitution authorized the Legislature to pass the act in question, under certain forms and requisitions. All those forms and requisitions *actually* appear to have been complied with, but the fact of publication. The members of the Legislature, who alone had the right to pass the act, and the Executive, to approve it, upon the knowledge or evidence of the publication, are necessarily the only judges of the fact, or of the kind and character of the evidence requisite to establish it. Then, if they were the constitutional judges of the fact, or the measure and degree of evidence requisite to prove that fact, then we are bound to presume every fact necessary to warrant the passage and approval of the act.—Then, is not the State estopped and for ever barred from inquiring into the fact of publication? What is the true statement of the State's defence? Let us suppose that suit has been instituted upon her bonds. These bonds bear upon their face the highest assurance of their legality. The Governor has signed them—they are countersigned by the Treasurer—and attested by the Great Seal of the State. The State pleads that there is no law authorizing their execution. The law is produced, and appears to have been passed by two Legislatures and approved by the Executive. But it is urged that the act was never published, and the State's counsel propose to show that fact. What will the court say? That the act upon its face is constitutional—and the State

cannot be permitted to establish a fact *alibi*, to show the unconstitutionality of the act, and more especially, as the Constitution itself, the solemn compact of the people, has, by way of necessary implication, made the members of the Legislature, and the Executive, the only judges of the existence of the fact.

But, again: the members of the Legislature, in a Government like ours, are the representatives or agents of the people, and their acts are binding and obligatory upon the people. Now, it is a truth that can be easily established, that the Legislature of the State, which met or convened subsequent to the execution and sale of the bonds, by resolutions did recognise and approve the sale of the bonds. These resolutions are of binding efficacy upon the State, so that she cannot now examine either into the validity of the execution or sale of the bonds. She is a party to the contract, or bonds: and is she not estopped, after having recognised the validity of the bonds, to deny that she had a right to execute them? Is she not estopped effectually? In the case of the Commonwealth vs. the Pejepscut proprietors, reported in the 10th Mass. Rep., p. 155, it is decided that, the Commonwealth is estopped by the resolve of the Legislature, declaring the boundary between its lands and those of a private company. In an Indian deed to a large tract of land to the company, in 1684, one important boundary was declared to be the uttermost falls in Androscoggin river. There were, in fact, five sets of falls. In 1787, the Legislature declared the twenty mile falls, (in fact the middle ones,) to be the boundary intended in that deed, and ordered matters accordingly. The court decided that the Commonwealth was estopped, and held to those falls as the true boundary. So, it is clear that the doctrine of estoppel is applicable as well to States as individuals, and the case cited bears a striking analogy to the one now under consideration. Again: can the State be permitted to deny the validity of her bonds, solemnly attested and proved by her Great Seal? That seal, the seal of sovereignty itself, furnishes the highest evidence that the bonds were properly and legally executed. The keeper of the seal may abuse his trust, but the only remedy the people can have in such case is, that terrible rebuke which is administered in the exercise of the elective franchise.

But there is an equitable estoppel which applies to this question. If A proposes to sell a certain tract of land to B, which belongs to C, and C stands by in silence and permits A to offer and sell the land to B, as his, C is estopped in equity from denying A's title. Here, recollect, the fee and real title was in C to the land, and to pass that fee and title, the law regularly requires a deed or conveyance from C.—But here is no deed or conveyance—but still his right and title has departed. Why? He stood by when the contract of sale was made and consummated: he did not deny the right of A to sell: he permitted B to purchase it, and the law therefore says, he is for ever estopped from setting up his title—because, it would be encouraging a species of fraud. Now, apply this principle to the bond question, and you will perceive how it will operate. After the sale of the bonds, and before the last four millions were paid over to the Union Bank, the Legislature of this State met. They were timely informed of the sale and negotiation of the bonds. Did that Legislature repudiate them? Did they deny their legal execution and sale? Did they say to the purchasers, pay no more money for the purchase of these bonds; for we intend to resist their payment, upon the ground that the act authorizing their issuance was not regularly published? No. Then it is contended that the State will be estopped from relying upon any such defence as the want of publication; for if permitted to set up such defence, it would be legalizing the worst of frauds—a fraud committed by a sovereign State.

It will not be expected that I should notice all the objections which are urged against the payment of the bonds.—It would be idle and useless to do so. It is sufficient to review the most prominent arguments which militate against the opinion I have expressed. It is said that the faith of the State was to be pledged, and the bonds executed only upon the performance of certain conditions stipulated in the charter or contract to be performed on the part of the stockhold-



ers of the bank, for whose use and benefit the State was to pledge her faith and credit. Let us for a moment direct our attention to the true intent and meaning of the charter of the bank, for this branch of the question depends upon its construction. The 5th section of the charter pledges the faith and credit of the State, and also provides for the execution of the bonds, as to form and amount. The 6th section makes them negotiable instruments, and authorizes the president and cashier of the bank to transfer them to the purchaser by endorsement. The 7th section provides that, "both the capital and interest of said bonds shall be paid by said bank, at the times they shall severally fall due." The 8th section declares that, "to secure the payment of the capital and interest of said bonds, the subscribers shall be bound to give mortgage." Now observe the language of the 5th section, which provides that, "in order to facilitate the said Union Bank for the said loan of fifteen millions five hundred thousand dollars, (which is the capital of the bank,) the faith of this State be, and is hereby, pledged, both for the security of the capital and interest." Now do the 7th and 8th sections contain any conditions precedent to the pledging of the State's faith or the execution of the bonds? None whatever, it is conceived. The faith of the State is pledged absolutely and unconditionally—for the 5th section embodies this clear language: "*The faith of this State be, and is hereby pledged.*" But again, it is believed that, to make the State responsible upon her bonds, it was not a necessary pre-requisite that the State should pledge her faith. She may not have pledged her faith, and still be liable. The nature of the State's contract is to be gathered alone from the bonds themselves, which are of the following form: "*Know all men by these presents, that the State of Mississippi acknowledges to be indebted to the Mississippi Union Bank, in the sum of two thousand dollars, which sum the said State of Mississippi promises to pay in current money of the United States, to the order of the President, Directors and Company, in the — year —, with interest at the rate of five per cent. per annum, payable half yearly at the place named in the endorsement hereto, viz: on the — of every year until the payment of said principal sum: In testimony whereof, the Governor of the State of Mississippi has signed, and the Treasurer of the State has countersigned, these presents, and caused the seal of the State to be affixed thereto, at Jackson, this —, in the — year of our Lord.*" Here is a positive, absolute promise or contract—an express acknowledgment of indebtedness to the bank—together with an express power given to the bank to sell and negotiate them "to any person whomsoever, or to bearer." What is the legal construction of this contract? In ascertaining this, we must look to its phraseology and see what was the meaning and intention of the contracting parties. We must construe the words of the instrument in their ordinary sense and acceptation. First, there is an unequivocal acknowledgment of the indebtedness; second, an unconditional promise to pay; third, a direct undertaking to pay the amount of the bonds, with interest at the rate of five per cent. per annum; and fourth, these promises and undertakings are witnessed by the most solemn attestations. This bond is drawn up in proper form and style, and as an instrument detached from the charter of the bank, is thrown into market, regularly signed and authenticated, bearing upon its face the State's declaration, "*Know all men by these presents that, the State of Mississippi is indebted,*" &c. The purchaser here then was commanded by the State to know that she was legally indebted to the Union Bank, that she would pay that debt, and her promise was the evidence that she was bound and would pay. But suppose that the purchasers of the bonds had looked beyond the face of the bonds to the charter—the contract made and entered into between the State and the stockholders—who are the parties to that contract? *The contracting parties are the State and the stockholders. The bond holders are no parties to the charter contract. They are only parties to the bond contracts.* The contract entered into between the State and stockholders is a substantive and independent contract. The stockholders may fail to perform their engagements with the State, but surely such

failure cannot form a legal and honest plea for the State not to perform hers.

Another objection which has been raised against the payment of the bonds is, that the terms and conditions upon which the State undertook to execute them have been altered and changed by the supplemental charter of the bank, which charter was acted upon by one single Legislature, when to change or alter these terms and conditions, it required the action of two distinct and independent Legislatures. Let us for a moment entertain the idea that the supplement did undertake to change and alter the terms and conditions upon which the State contracted with the stockholders to execute her bonds, for the purpose of enabling the bank to raise the contemplated loan, what will it avail?—Can it affect the validity of the execution of the bonds? By no means. It would only prove that these attempted changes and alterations were illegal and void, and being so, are not binding. They are, if unconstitutional, as a dead letter, and of no efficacy whatever. There is no principle better settled, than that one portion of a law or charter may be void and the rest good. The fact that one section or provision of a law is unconstitutional, does not render the whole void—one part may stand and the other not. So if the original charter incorporating the Union Bank, pledging the faith and credit of the State, be constitutional, it necessarily follows, that, if any single subsequent Legislature have undertaken to alter and change the features of the original charter, which they had no power and authority to do, these alterations and changes cannot affect the constitutionality of the original charter or the validity of the execution of the bonds, because these alterations and changes if illegal, are utterly void, and of course have no existence. But I will notice one feature in the supplemental charter, which is relied upon to show that the bonds are unlawful: It is this, that the first section of the supplement makes and constitutes the State a stockholder in the bank, and authorizes the Governor to subscribe for five millions of stock in the name of the State, to be paid for out of the proceeds arising from the sale of the bonds. Now, it will be observed, that section does not change or alter the original charter, but is in fact a mere addition to that charter—a new and independent feature. But was it not entirely competent for the Legislature who passed the supplement to make and constitute the State a stockholder. No one, at this late day, can successfully argue, that one Legislature has not a perfect right to charter a bank, and make the State a stockholder in such bank. A bank or corporation then may be created by the act of any single Legislature. No part of the original charter required the action or passage of two Legislatures, except that which proposed to pledge the faith and credit of the State; consequently the stockholders were as fully and completely incorporated as such at the first passage of the original charter as upon its second passage. Then, if one Legislature can incorporate a bank, and the State become a stockholder in a bank, cannot the same power which can incorporate private persons, continue the State a stockholder? Assuredly it can. Keep in mind the provisions of the 9th section of the 7th article of the Constitution. Is there one word or phrase which breathes the idea, that in order to incorporate or make the State a stockholder in a bank, that the charter or act of incorporation should be passed by two legislative bodies? The 9th section of the 7th article of the Constitution only refers to the mode and manner by which the faith and credit of the State shall be pledged. Then the incorporation of the State as a stockholder in the Union Bank fell within the common and ordinary range of legislation; and as such only required the action of one Legislature and the approval of the Executive, to give the act or supplement force and validity. The supplemental charter, creating the State a stockholder, could by no possible means enlarge or increase the faith of the State, already plighted, under the provisions of the original act of incorporation. The sum for which the State has pledged her faith is precisely the same. But it will be perceived that the liability of the State as stockholder in the bank, is entirely distinct from her liability upon her bonds. *As a State or sovereignty she pledged her faith and credit. As a stockholder, she assumed a new and substantial*



liability; not as a *State or sovereignty*, but as a *mere individual—a common citizen*; for if a State becomes a partner in a trading company, or a stockholder in a bank, she divests herself, so far as concerns that company or bank, of her sovereign character. This is a sound and well settled principle running through all the authorities. Then if the State pledged her faith—her *sovereign faith*, she did it in her *sovereign and governmental name and character*; as a stockholder in a private corporation, she could not pledge her *faith her sovereign faith*; therefore, her liability founded upon that pledge, is entirely different from her liability as stockholder. As a stockholder, she acts in a *private citizen capacity*—in pledging the faith and credit of the State, she acts in her *sovereign capacity*. Then if her character as stockholder is distinct from her character as a State or sovereignty, and she could only pledge her faith in the latter character, the consequence inevitably follows, that the supplemental charter making her a stockholder does not change or in anywise alter or affect her sovereign liability, and therefore is constitutional.

There are other objections which have been urged against the constitutionality of the supplemental charter of the bank, which in my estimation need not be met and refuted. Like those already noticed, they are entirely groundless and without the shadow of foundation in law or reason. I will here remark, that some of the views here embodied have been advanced in other papers, which were penned by me at intervals of leisure, and published in the Southron. Having disposed of the question involving the legality of the execution of the bonds, I shall proceed to examine the communication of His Excellency, addressed to Messrs. Hope & Co., of Amsterdam.

While I regard that document as one entirely uncalled for, and of an extraordinary character, I shall treat it with all proper respect, coming as it does from the Chief Magistrate of the State. His argument is based upon the supposed illegal sale of bonds. He alleges that they were negotiated and sold at less than their par value, in violation of the charter of the bank. This allegation is pre-emptorily denied.—What are we to understand to be the meaning of the phrase "*par value*?" It is that value which is equal to the intrinsic value or worth of the bonds. What is that intrinsic value? The bonds were executed for the sum of five millions of dollars in the current money of the United States. Then that amount in the current money of the United States is the par value of the bonds—that which the bonds purport to be worth upon their face. Were they then sold for their par value? How are we to ascertain that fact? From the terms of the contract of sale. We must have an eye to the time they were sold; and if they were sold for a sum equal to five millions, their real value at the time the contract of sale was entered into and consummated by the delivery of the bonds to the purchaser, then they were sold at their par value.—When were they sold? On the 18th of August 1838. By the contract of sale of that date, it appears that the bonds were sold for the sum of five millions of dollars, which in law means five millions of dollars in the current money of the United States. Then the bonds were sold at par value, for their value must be estimated at the time of the sale.—There is, I apprehend, a material distinction between selling on a credit and selling at par. The commissioners had a perfect right to stipulate, having disposed of the bonds at their par value, that the proceeds of that par sale might be paid at a subsequent day. It does seem then, that the bonds were sold at their par value. But suppose in this that I am mistaken, still it is confidently believed, that the State cannot set up any such defence. To whom were the bonds made payable? The bank. To whom were they delivered? The bank. Then the bank was the legal holder, the State the obligor, and the bank the obligee. The legal interest was vested in the bank. The 9th section of the original charter made the bonds negotiable by the endorsement of the President and Cashier. They on behalf of the bank had a clear right to dispose of them. They were executed for the purpose of negotiation and sale. The legal interest being vested in the bank, it had a right to sell and dispose of them. But the 9th section of the Supplemental

Charter of the bank provides that, "the President and Directors or the managers thereof, shall have ample power to appoint three commissioners to negotiate and sell the State bonds, &c., provided they shall not sell said bonds under their par value." Before the passage of this section the bank had a right to appoint agents, either with general or special powers, to regulate and sell the bonds—such a power was necessarily implied; but the 9th section of the supplement narrowed or destroyed this implied power, by enacting that they should appoint agents or commissioners, clothed only with special and not general discretionary powers. Then the commissioners or agents appointed to negotiate the bonds, were agents of limited and special powers. Whose agents were they? They were not the agents of the State, but agents of the bank—*special agents of the bank*. Now what is the law in regard to special agents? If they transcend their authority, their acts will not bind the principal, but it is a clear and salutary rule in relation to agencies, that where the principal, with knowledge of all the facts, adopts or acquiesces in the acts done under the assumed agency, he cannot be heard afterwards to impeach them, under the pretence that they were done without authority or even contrary to instructions. 2 Kent's Com. 616. When the principal (the bank here) is informed of what has been done, he must dissent and give notice of it in a reasonable time; and if he does not, his assent and ratification will be presumed; there is no principle of law better settled. Then the question occurs, did the bank repudiate the sale of the bonds? Did it not acquiesce in their sale? Assuredly it did; and received, used and appropriated to its own use the proceeds arising from that sale. Did the State ever repudiate and condemn the sale? Did she not stand by and in fact acquiesce in and confirm the act? Did not the Legislature, the representatives of the people, by solemn resolution confirm and ratify the sale? Let the journals of that body respond to these questions.

But I might go on and prove, that whether the bonds were legal or not, that the State being a stockholder in the bank to the amount of five millions of dollars, that she would be ultimately bound to refund the money for which the bonds were sold, with legal interest, but it is useless.

Another ground which the Executive assumes is, that the bonds were sold on a credit. Now if the distinction taken is correct, that there is a difference between selling at par and selling upon a credit, where is the prohibition in the charter of the bank which forbids the commissioners to sell on a credit. There is no such prohibition, and in the absence of any express, the bank had an implied power to sell the bonds upon a credit.

But it is said that the currency in which the bonds were made payable, was changed from current money of the United States to pounds sterling of Great Britain, at the rate of four shillings and six pence to the dollar, and therefore the sale is void. It will be remembered, that the 6th section of the original charter authorized the bank to fix the place where the principal and interest should be paid, &c. Then the bank had the right to name and designate the place of payment. Its power in this respect was general and unlimited. It might name or designate any point upon the globe for payment, and no one could legally complain. But it is said that the currency in which the bonds were made payable was converted into British currency, by which the State will lose upwards of a million of dollars. But his Excellency is mistaken in his legal construction of the terms of the endorsement of the Union Bank; that endorsement is as follows, to wit:

"The President and Directors of the Mississippi Union Bank do hereby designate the agency of the Bank of the United States in the city of London as the place of payment of the within bond and interest, and hereby assign and transfer the same, for value received, to bearer, being equal to four hundred and fifty pounds sterling, and guarantee the payment of the same at the place designated.

H. G. RUNNELS, Pres't.

S. GWIN, Cash'r."

Now what is the true legal construction of this contract or endorsement? What did the bank undertake to assign

and transfer to the purchasers of the bond? Let the plain language of the endorsement answer. The bank designates the place of payment at London. The place of payment of what? Of the bond and interest. What is the meaning of the phrase "of the bond and interest?" It means the principal and interest; which is two thousand dollars, and five per cent. interest on that amount? In what kind of money? In the current or lawful money of the United States. Why do I say that the bond and interest is to be paid in a sum equal to two thousand dollars in the lawful money of the United States? Because the Bank only undertook to assign and transfer the bond, which binds the State to pay only two thousand dollars in the lawful money of the United States. Now by the endorsement the bank undertook to pay the bond in London. The amount of the bond is two thousand dollars—a sum which the parties to the endorsement have said was equal to four hundred and fifty pounds sterling of Great Britain—estimating the pound sterling at \$4 44.

Let me distinctly state my argument. The mere statement in the endorsement that the bond and interest, or two thousand dollars and interest is *equal* to four hundred and fifty pounds sterling, constitutes no absolute and unconditional promise or contract to pay in pounds sterling. The parties to the endorsement merely agree that two thousand dollars, the amount of the bond, is equal to four hundred and fifty pounds sterling, and *e converso*, four hundred and fifty pounds sterling is equal to two thousand dollars. Now the State or the Bank may discharge the bond in either currency, and their argument that a certain sum in United States currency is equal to a certain sum in British currency, does not bind them to pay unconditionally in the latter currency—the one is equal to the other by the very terms of their agreement, as contained in the endorsement, therefore they may pay the bond in the lawful money of the United States.

His Excellency surely does not mean to say that the bonds were altered; that the words "current money of the United States," expressed upon their face, were erased or obliterated, and the words "current coin or pounds sterling of Great Britain" substituted in their place. But suppose such were the terms expressed in the contract of endorsement—how can such contract affect the liability of the State? The liability rests upon the validity of her bonds. She is only responsible for what she has promised to pay, which is to be ascertained from the promises or bonds themselves. She has bound herself to pay five millions in the current money of the United States, and is liable for so much or its equivalent, at the place of payment, in pounds sterling.

As to whether the contract of sale was fraudulent or not, I am not in possession of such facts as will enable me to form an opinion; but as the Legislature and the bank, both having all the facts before them, solemnly ratified the sale, it would be a violent presumption to suppose they deliberately sanctioned a fraud. In every aspect in which I am capable of viewing this grave and important question, I am fully convinced that the State is morally, politically and legally bound to discharge her bonds and redeem her plighted faith.

Yours respectfully,  
CHARLES SCOTT.

A Curious Antique

Has been shown to us this morning by a friend, which is well worthy of notice. It is an old fashioned hunter's powder horn, upon which is curiously wrought a graphic chart of the country bordering the Hudson river from the city of New York, and including Lake George and adjacent parts. We have no clue to the name of the ingenious artist, but find this inscription, in distinct letters—"Made at Lake George, Oct. 13th, 1758."

It is also inscribed with the British coat of arms and the cities of New York and Albany, Ticonderoga, and other spots now known to fame, are well represented. The whole thing is exceedingly well executed. It was presented to the present owner by Mr. Adams, but its history is lost—like many other incident of interest to those who have gone before us.—*Newark Daily Adv.*

New York and Philadelphia.

The annexed table shows the highest temperature indicated by the Register kept at the Pennsylvania Hospital, Philadelphia, on each day of July to the 26th inclusive, and also the temperature indicated by Lynch & Clarke's thermometer, Wall street, New York, at 3 o'clock P. M. of the same days, which is usually the warmest part of the day [in a large city.]

	Philadelphia.	New York.
	Highest.	3 o'clock.
July 1.....	93.....	85
2.....	84.....	82
3.....	77.....	77
4.....	76.....	79
5.....	88.....	82
6.....	88.....	84
7.....	84.....	80
8.....	78.....	79
9.....	81.....	82
10.....	82.....	80
11.....	74.....	77
12.....	78.....	79
13.....	88.....	84
14.....	91.....	83
15.....	91.....	88
16.....	86.....	79
17.....	81.....	80
18.....	80.....	83
19.....	86.....	83
20.....	90.....	85
21.....	90.....	86
22.....	90.....	87
23.....	92.....	92
24.....	93.....	87
25.....	94.....	95
26.....	77.....	81
	1212	1159
	1159	
	53	

Showing an average of about two degrees higher temperature in Philadelphia than in New York. Even this difference is probably too large, inasmuch as the highest temperature is not always at 3 o'clock.

[N. Y. Journal of Commerce.

Rates and Taxes.

The following is the amount of the assessed value of the real estate in the several wards of the Northern Liberties, and the amount of tax raised thereon, at the rate of 60 cents in the one hundred dollars, together with the amount of personal tax.

	Real Estate.	Personal.	Total.
1st Ward	\$778,549	\$335 25	\$5,006 15
2d "	682,111	281 60	4,373 98
3d "	623,468	341 85	4,081 80
4th "	732,695	238 15	4,684 27
5th "	740,944	430 95	4,876 15
6th "	537,485	384 66	3,609 47
7th "	635,618	362 05	4,175 71
	\$4,730,870	\$2,424 51	\$30,807 53

[North American.

MARION, in Perry county, this State, with a population of 1000 inhabitants, boasts of 3 churches, 2 female colleges, 1 male lyceum, 1 male preparatory school, and 3 newspapers. There were received at the Post-Office in that place in one quarter 6,829 newspapers, magazines, &c.

[Huntsville Republican.

STATEMENT OF THE NAVY OF THE U. S.

A statement of the Naval force of the United States was published in your paper a short time since. That it may be known what progress has been made in its increase in 40 years, the following comparison for the years 1800 and 1841, is subjoined.

Name. 1841.	Name. 1800.	Commanders.	
Pennsylvania	120		
Franklin	74		
Washington	74		
Columbus	74		
Ohio	74		
North Carolina	74		
Delaware	74		
Alabama	74		
Vermont	74		
Virginia	74		
Independence	50		
Constitution	44	Constitution	44 Talbot.
United states	44	United States	44 Barry.
Congress	44	Congress	44 Sever.
Guerriere	44		
Java	44		
Potomac	44		
Brandywine	44		
Hudson	44		
Santee	44		
Cumberland	44		
Sabine	44		
Savannah	44	Chesapeake	44* Barron.
Raritan	44	President	44* Truxton.
Columbia	44	Philadelphia	44* Decatur.
St. Lawrence	44	New York	44 Morris.
Constellation	36	Constellation	36 Murray.
Macedonian	36	Insurgent	36 Fletcher.
		John Adams	32 Cross.
		Adams	32* Robinson.
		Boston	32 Little.
		Gen. Green	32 Perry.
		G. Washington	32
		Essex	32* Preble.
		Ganges	26 Mallory.
		Connecticut	24 Tryon.
		Portsmouth	24 McNiel.
		Merrimack	24 Brown.
John Adams	20		
Boston	20		
Lexington	20		
Vincennes	20		
Natchez,	20		
Falmouth	20		
Fairfield	20		
Vandalia	20		
St. Louis,	20	Baltimore	20 Cowper.
Concord	20	Maryland	20 Rogers.
Cyane	20	Herald	20 Russell.
Levant	20	Delaware	20
Erie	18	Patapsco	18 Geddes.
Ontario	18	Trumbull	18 Jewett.
Peacock	18	Warren	18
		Norfolk	18 Brainbridge.
Decatur	16	Augusta	16 McElroy.
Preble	16	Richmond	16
Yorktown	16		
Marion	16		
Dale	16		
Dolphin	10	Pinckney	14 Hiller.
Porpoise	10	Scammell	14 Fernell.
Boxer	10	Eagle	14 Campbell.
Grampus	10	Experiment	12 Mally.
Shark	10	Enterprise	12 Shaw
Enterprise	10		

It was intended to append some notes of the fate of the vessels in service in 1800, but want of full information at the moment, induces me to leave that task to others. Those

marked \* have been lost in battle—the remainder, except about half a dozen, were sold, to make way for Mr. Jefferson's gun boats.—*Journal of Commerce.*

The Bench of Chester County.

It is now twenty-five years since we settled permanently in the Borough of West Chester. At that time the Honorable Bird Wilson sat as President of our Courts, assisted by Judges Finney, Boyd, Ralston and Davis. Within two years thereafter, the President resigned his seat on the bench, and his Honor John Ross was appointed to the vacancy. It was a current rumor at the time, that the resignation of Bird Wilson was owing to the conviction of John Craig for murder of the first degree, and he could not conscientiously sentence him to death. Bird Wilson, we believe, still lives—his associates are all dead. Not long after the appointment of the Honorable John Ross, Judge Finney's seat was vacated by death, and was never after filled. The chair on which he had sat, was removed from the platform. Judge Boyd did not long survive him, and another vacancy occurred which was never filled, and another chair was taken away from its accustomed place. His Honor Judge Ross continued to preside for a few years, when he was elevated to the Bench of the Supreme Court of the State, and is since dead. Judge Darlington was appointed to the vacancy occasioned by the removal of Judge Ross, and continued to preside over our courts up to the time of his death, which happened a few years ago. In the mean time several changes took place in the Associate Judges. Judge Ralston died; Judge Davis resigned on account of ill health, and shortly after died; and Judges Sharp and Pearce were appointed to the vacancies. Some five or six years ago, Judge Pearce resigned, and Judge Jones was appointed. At the death of his Honor Judge Darlington, our present President Judge Bell was appointed, and the bench is now composed of their Honors, Bell, President, and Sharp and Jones Associates. Within the period spoken of six deaths have occurred, among the members of the Court. The bench has been fully cleared of its officers, and a new Court now administers the law of the land. The stream of justice still runs on.—*American Star.*

Court of Common Pleas.

Liability of Postmasters.—*Green vs. Williams.*

This was an action on the case, brought to charge the defendant, as Postmaster of New Bedford, for the loss of forty-four dollars, alleged to have been lost, with a letter enclosing it, at that office. It was proved that an unsealed letter directed to the plaintiff to the care of Mr. Taylor, at Boston, was taken to the New Bedford office, and 44 dollars, in four bank bills, placed in the letter, in the presence of the assistant postmaster. That the assistant's attention was called to the bills, and the letter then sealed and given to him. It was also proved by the post-bills from Washington that no letter over *triple* postage left the New Bedford office for Boston on the day upon which this letter would have gone. (This letter should have been *quadruple* postage.)

It appeared that at this time there was but one mail a day between New Bedford and Boston, which arrived at Boston about noon; that this mail is never unlocked between the two offices; that Mr. Taylor's letters were always taken to him by the letter-carrier, who invariably charged him with the postage of each, before leaving the office; that on this day there was no charge against Mr. T. in the books; and that the carrier always left the office with the letters, to carry them round, as soon as the New Bedford mail was opened and sorted. The plaintiff was absent at the time, and had left word with Mr. T. that he expected such a letter. It was admitted that Mr. T. never received the letter. The plaintiff had no box at the office, and all letters to Mr. T's care are sent to him by post-men.

Dana, for the defendant, contended that, although a Postmaster is not liable as a common carrier, yet he is liable for a want of ordinary diligence. That the standard of diligence for a Postmaster is higher than for a warehouse-man, as

the former contracts nor merely for house room, but for care, labor and duties requiring a higher degree of attention and skill. That where a letter is proved to have been placed in a Postmaster's care and the jury are satisfied, upon the evidence, that it never left his office, he must show that the loss was by some cause other than a want of due diligence in the discharge of his duty. That if placed in the care of his assistant, it is in his constructive possession, and he is answerable for the loss, unless the negligence or default of the assistant is proved, clear of all want of diligence on the part of the Postmaster himself. It was not contended that the defendant was liable, unless the jury were reasonably satisfied that the letter did not leave the New Bedford office at the time in question.

Clifford, for the defendant, contended that the loss must be traced home to the defendant personally, or gross negligence on his part clearly proved, before he could be charged; and argued upon the evidence that unless the Postmaster himself was made acquainted with the exact number of bills in the letter, (by his assistant or otherwise) an underrating of postage was not evidence against him, that the triple letter was not the one in question. And that even if the letter did not leave the office, the plaintiff must satisfy the jury of gross negligence on the part of the defendant personally. That the assistants being sworn public officers, the Postmaster is not liable for any negligence not traced to himself personally.

Chief Justice Williams charged the jury, that they must be satisfied not only that the letter was put in the office, but that it did not leave it at the proper time and manner. That the Postmaster was liable for a want of ordinary diligence; and that, if placed in the assistant's hands they might presume upon the evidence that the letter came into the defendant's possession in the course of the business of the office. That the mis-acting was only proof, more or less weighty, of the letter in question not being mailed. That they must consider the subsequent course of the mail, and be satisfied not only that the letter was more likely to have been lost in New Bedford than at Boston, but that it never left New Bedford. Verdict for the defendant.

*Boston Daily Advertiser and Patriot.*

#### Important Decision.

The Superior Court yesterday was occupied with an action brought by Capt. Stoddard, of the French packet ship *Ville de Lyon*, against Mrs. Cutting for \$675, the amount of passage money for herself and family.

The *Ville de Lyon*, as our readers may remember, was obliged, in consequence of severe gales and head winds, to put into Bermuda for a supply of provisions, and received so much injury in entering that port that she was detained there for repairs some months, and Mrs. Cutting with her family, as well as most of the other passengers left the ship, and came to this country as well as they could. It was contended, therefore, for the defence that Capt. Stoddard had not fulfilled his contract to land her safely here; and the payment of the money was accordingly refused. It was also contended that the quantity and quality of the provisions were not such as ought to have been provided.

On the part of the plaintiff, it appeared from evidence, that the provisions were of the best quality, and sufficient for a passage of 50 days, which was the maximum of time for voyages at that season; but having been crippled by gales, on the 47th day out finding his ship made but little headway, Captain Stoddard, as a matter of prudence, bore up for Bermuda, the nearest port, in order to obtain a supply of provisions, and in entering that port with a pilot on board, met with the accident which detained his ship there so long.—The question for the jury was, whether the defendant was justified in leaving the ship from any faults of the vessel or deficiencies in the supplies, the accident of her running on the rock not being a matter for them to decide. If the jury thought the ship left Havre with an adequate supply of provisions for an average voyage, then the court charged the verdict should be for the plaintiff; if not, for the defendant.

Verdict for the plaintiff \$741 14 and costs. D. Lord for plaintiff, H. Ketchum for defendant.—*N. Y. American.*

#### Correspondence of the Tribune.

#### Further Particulars respecting the Steamboat Erie.

BUFFALO, }  
Aug. 10, 1841. }

[The following is from Mr. Parmelee, the bar-keeper of the boat.]—Perfect confusion succeeded, in the midst of which the small boat, hanging astern, was lowered by the hands and brought to the side. After a few ladies had been handed down, the frenzy of those behind became uncontrollable, and numbers leaped in beyond the capacity of the boat to sustain them, and it swamped.

Several of those who fell from the boat were drawn under the wheel, and there were drowned; while a few clung to the boat's sides and were finally saved. A second and third boat were rendered useless by the same infatuation. Some five minutes after the appearance of the fire, the machinery became deranged and stopped.

Twenty minutes only had elapsed from the beginning of the fire, after the intenseness of the heat had forced overboard every other person, when Captain Titus threw himself into the water and abandoned the boat to its fate. The few who then remained alive were tossing in the midst of the heavy swell, dependent upon the precarious support, one of an oar, another of a plank or box, and liable every moment to lose their hold through exhaustion and the benumbing effects of the fright.

The steamboat *Lady* returned with the two she had picked up to Dunkirk; one of them was my informant. He had thrown himself overboard on a plank, when he saw farther efforts to be useless, but relinquished it to a friend who could not swim, and took for his own support "the fender" which just then fell by his side. He states that those who survived the swamping of the boat, clung with desperation to the burning wreck, except as a few found other support.

"One man he saw standing for some minutes on the gallows beam, the flames encircling him, with his coat skirts thrown over his head, till he dropped dead into the body of the flames. One of the wheelmen is said to have been burnt up doing his duty at the helm. Young Bebee, [a lad of 14, one of those saved,] is reported to have behaved with great courage. As he descended the guys to the water, the chain was so hot that he left masses of flesh upon the rod at every clasp of his hands.

Reaching the rudder he stood upon that, and soaking his jacket in the water, he applied it to assuage the pain of his hands, and then used it to extinguish the fire from his dress and parts of the wreck near him. Though badly burnt, he is likely to recover. The only lady who was saved (Mrs. Lynde, wife of C. J. Lynde, Esq., of Milwaukie,) was standing at the stern of the boat with her husband, arranging her life preserver about her person, when the boat gave a lurch and precipitated her into the water. She saw nothing more of her husband, but was herself buoyed up till the *Clinton* arrived.

The first notice which the boat I was upon (the *Fulton*) had of this sad event, was at Dunkirk, about 5 in the morning, where Mr. Parmelee came on board. The boat was placed upon the track of the *Erie*, and in about one hour we perceived indications of the disaster—a basket, a chest of tea and a box of lemons were picked up. Presently the numerous small pieces of burnt wood, embraced in quite a small area, indicated the immediate scene of the catastrophe.

As they were seen at some distance off, the boat checked her speed, and her slow and solemn motion over the unmade graves of hundreds, the measured surge of the waves under her prow, and the sound of the occasionally puffing steam, were felt to be more solemn than any common tribute to the memory of the dead. Soon after we left this spot we picked up one of her boats, parts of which were covered with the burnt flesh from the hands and feet of those who jumped into it. Most of these facts were derived from the bar-keeper, and some are the rumors current in Buffalo. In great haste.

E. A. M. J.



[From the Buffalo Commercial Advertiser Aug. 11.]

### The Erie.

We hoped that we should learn something to-day to relieve the details published yesterday; but everything we hear seems to deepen the horror. All that the imagination can conceive of the terrible and heart-rending was realized in the awful destruction of the Erie. Scores sank despairingly beneath the wild waters; but there is reason to fear that many, very many, strong men, helpless women, and tender children perished in the flames.

The Clinton, as soon as she could discharge her cargo yesterday morning, returned to the scene of the disaster, to pick up whatever could be found. She found no bodies, nor anything scarcely to repay the search. The water was covered for miles with cinders and fragments of the wreck, more or less charred, and that was all. At one time those on board the Clinton had their feelings excited in the liveliest manner. At a distance, was seen a fragment floating, apparently supporting half a dozen men. On approaching it was found to be nothing but a portion of the guard, the timbers which connected it with the hull, black with fire, and standing out of the water in a manner that created the strong illusion. Dr. Harris, the Coroner, who accompanied the Clinton, has furnished us the following:

"Alexander Lamberton, musician, from Erie, and Frederick Parmalee, bar-keeper, were picked up by a small boat after the Clinton had left. Parmalee was on the water seven hours, and showed great presence of mind in exerting himself to save Mr. Gelston, the brother-in-law of Col. Reed. He gave Mr. Gelston a plank, which he had secured for his own preservation—and when the boat had ceased to move, after waiting to find some one else to whom he could render assistance, he took one of the fenders of the boat, and by managing to keep upon it, he succeeded in preserving his own life. Small pieces of charred wood and portions of the boat were found floating, as well as part of the goods that remained without being entirely consumed. The boat also picked up the wheat measure, which was the means of saving Mr. Williams. This is about all that has not already come to your knowledge."

Notwithstanding this heroic and self-sacrificing act of Parmalee, we fear there is no reason to hope that Gelston was saved. In addition to what is stated respecting Parmalee's gallant conduct, we learn from the Republican of this morning, that Mr. Edgar Clemens, too, the engineer, abandoned a plank on which he was floating, to three children, and after some search found a box or bale, which he also resigned to an old man, and after being some time in the water, at length reached the boat to which Captain Titus was clinging.

We learn that Mrs. Lynde, too, the only lady saved, evinced as much coolness and intrepidity as any one on board. Her presence of mind never forsook her for a moment.

The Republican further says:

"Capt. Squires was not on board of the boat, but Mr. P. Smith, the mate, and Mr. F. Wheeler who accompanied him, are deserving of the very highest praise; they did everything that men could do, and proved themselves gallant seamen and humane men, they deserve the thanks of the city.

"Mr. Parmalee gives a most terrific description, among other things he says, that while watching the boat from the water, he observed that the mast-head was one sheet of flame, that the flag-staff was wreathed with fire, that the flames were bursting from the centre of the vessel, he saw a man standing on the cross-head, (the highest part of the engine, the engine had stopped) and watched him until his clothes were burned from him, and he fell amid the flames.

"A boy who is now at the American, behaved with the most perfect coolness, holding on to the rudder-chains with hand, leg and arm, relieving, each as the other was too much burned, and desiring those who were with him, in case they survived, to tell his friends of his death and coolness. He too is a gallant fellow, and deserves the highest commendations.

"Capt. Titus did all that man could do under such circumstances, and surely the people of Buffalo will remember the proclamation of their Mayor, and do something, to show

their sympathy for the sufferers, alleviate their distress, and commend the heroic conduct of those who have so well deserved the praise of a people."

We give below a corrected list of the lost and saved. It is far from being perfect—the full extent of the calamity will probably never be known—but after diligent investigation it is as full as we could make it.

Among those on board were ten young men composing the Erie Band, who had consented to accompany Capt. Titus to Chicago and back, whose names we were unable to ascertain until to-day. Of those ten only two were saved, viz: W. Wadsworth, named yesterday, and Alexander Lamberton, the person picked up with Mr. Parmalee, and alluded to above. The names of those lost were Robt. Hughes, James Heck, Jas. Sterritt, John C. Cluff, Philip, a German, and Dimm, another young man. Those persons were not professional musicians, but young mechanics, who had associated together for mutual improvement and recreation. Their loss will be sensibly felt and deeply lamented at Erie.

We have also gathered the following facts and additional names from Messrs. Parsons & Co. On examination of the 87 names of Swiss immigrants given yesterday, they actually count 108 persons, to which must be added some ten or twelve infants, not before enumerated, of whom no charge was made. To this list must also be appended the following from the same house, omitted yesterday:

A. Strugler, Cleveland.....	2 persons.
Mrs. M. Stember, Zanesville.....	3 do
Mrs. Bargest, Portsmouth.....	3 do
J. F. Byer, Chicago.....	2 do

This swells the number of persons shipped by Messrs. Parsons & Co. to one hundred and thirty. A mere fraction of whom were saved.

The following persons composing the crew, &c., may be also added to those lost:

Mr. Miltemore and wife, dentist of Chicago.

Von Ockerman, a German, tinner, late in the employ of Mr. Hubbard, who was on a visit to his mother near Erie.

Mr. Sherman and daughter, Hamburg, Erie Co.

Mr. Nelthorpe, a Danish gentleman.

Henry Freeman, on his way to Milwaukee, clerk in a drug store, formerly of Jamestown, Chautauque Co.

Ansel Ricker, a young man, farmer, formerly of Hamburg, Erie Co.

John Harrington, late of White's Corners, Erie Co. entered as fireman on the day she left port.

Luther Fuller, wheelsman.

William Cheats, waiter colored,

William Winters, do

James Read, do

Robert Smith, head cook, do

Henry Vosburgh, 2d do do

David Mills, 3d do do

Israel Vosburgh, porter, do

William Sparks, 2d do do

Doctor Hackett, Thomsonian Physician, of Lockport, (colored.)

The loss of property by the Erie was heavy. She had on board the first large invoice of merchandise shipped for the upper lakes this season. Some 30 tons, worth at least \$20,000. The immigrants had also a large amount of specie, not far from \$180,000, and the boat herself must have cost all of \$75,000, making in all a little short of \$300,000 loss.

Mr. Willet Weeks, of Brooklyn, who was reported as among those who perished, it is said was not on board, having taken the boat for the Falls:

The following, as far as we can ascertain, were shipped by the Erie:

Shipped.	No. Articles.	Owners.
Davis & Co.	211 pack.	James McAdoo, Chicago.
"	35 "	B. W. Raymond, do.
"	17 "	O. & D. Bailey, Bloomfield.
"	12 "	H. Harris, Chicago.
"	1 "	Marsh, Maskell & Co. Rocf'd.
"	1 "	W. H. Wells, Danville.
"	12 stoves,	B. B. Waldo, Southport.
"	1 "	L. S. Julian, Grand du Ion.



Shipped.	No. Articles.	Owners.
Davis & Co.	6 castings	W. Brown & Co. Chicago.
Cobb & Co.	17 pack	Barnett & Moore, & N. C. [Chicago.
Kingman & Co.	2 boxes	C. J. Lynd, Milwaukee.
"	1 "	B. Barman, Southport.
Gelston & Evans	4 "	S. Samper, Como, Illinois.
"	1 keg	" "
"	4 boxes	A. Green, Chicago, Illinois.
"	1 bbl.	" "
"	2 boxes	L. M. Boice, " "
Parsons & Co.	4 kegs	E. Wildman, Battle Creek.
"	1 box	" " Chicago.
"	4½ chest	T. G. Williams, "
"	—	E. Lassieur, Ann Arbor.

EDITOR'S CORRESPONDENCE.

*Fredonia*, August 10.

As the Erie was not expected to touch at any of the ports in this county, we have to congratulate ourselves that few or none of our people were on board the doomed vessel; though we fear one young gentleman, a son of E. Freeman, Esq. of Jamestown, who was a passenger for Chicago, was among the lost.

During the alarm and confusion of the first discovery of the fire at Dunkirk, a poor inebriated Irishman rushed down to the wharf and said he was going to swim off to the burning boat—plunged in the water—was drowned, and has not been seen since. Yours, &c.

A letter from Buffalo to the Editors of the Journal of Commerce says—"Mrs. Lynde was saved by a life-preserver.—Her husband, who was with her, had a life-preserver, and put it on; but she thinks that in the confusion of the moment, he omitted to secure the air from escaping; for he soon sunk. A Mr. Williams saved himself, but lost his wife. He is here in a state of phrenzy, and is confined. Several similar cases I hear of in this place."

**The N. Y. Letter Mail Safe.**

A memorandum on the Buffalo way-bill, addressed to the Postmaster of this city, is as follows:

"Your mail of the 6th, was on board the Erie *except the letters*; the bag not having arrived here in time to be made up."

**The Loss of the Erie.**

We have to add the following to the list of those lost on the Erie:

Silas K. Green, fireman, of Erie, Pa. He left the S. B. Missouri, on her way up, and went aboard the Erie then fitting out.

Oliver Nadeau of Montreal—a Canadian Frenchman, bound to Dubuque, where he has a brother. Aged about 19. Has friends in Montreal.

Peter Vaughart, wife and 3 children, of Buffalo. Has 6 other children at Erie, Pa.

Eliza Packenham, cabin maid.

Rev. William Morris—an Evangelist.

Miss Griffin, in company of Mr. E. Griffin of New York, before mentioned.

John Allen, 2d Engineer.

— Carpenter, the owner of a race horse, which was on board.

Maria Jones, an abandoned female.—*Buff. Com. Adv.*

**Daring Deed.**

The late shocking conflagration upon the lake, gave rise to an incident that should not be lost. Young WILGUS, of this city, who is already so well known as the successful artist, was at Irving, mouth of Cattaraugus Creek, (where he is just now engaged in painting some of the Aborigines, who still inhabit the Indian reservation, there,) upon the fatal night of the conflagration of the Erie; which it will be re-

collected, took place opposite that point of the shore. We learn that on discovering the fire, about 8 o'clock in the evening, Wilgus immediately repaired to the shore and, with others, put out in an open boat, only 14 feet in length. On reaching the mouth of the stream, however, two of the men feared to encounter the wind and waves, both of which were high, and left the boat, urging the rest to do so, or they must be inevitably lost. The two men were landed, when our townsman persuaded the rest to venture, in the cause of humanity, and they committed their frail bark to the lake.—Several hours of constant effort with oars aided by sail, brought them in the vicinity of the doomed boat, which they reached, at about the same moment as the Clinton, and the little steamboat Lady. After sailing round the wreck, in various directions, for some hours, in search of any that might still be left alive, the frail bark was finally headed for shore; but this could now only be approached by beating, as the wind had changed, and was strong off shore: so that the efforts of the venturesome band—and we omit all the names save that of Wilgus with regret, but from necessity, as they have not reached us—were painfully protracted until six o'clock in the morning, before a landing could be effected.

Only one other open boat ventured from shore, upon that awful night, and she was capsized, in the early part of her voyage. This, as a deed of daring, in the cause of humanity, has few parallels.—*Buffalo Com. Adv.*

**A Fair Business.**

The double driving wheel locomotive engine "Tuscarora," lately put in operation on the Corning and Blossburg Railroad, on the 26th July, brought in from Blossburg a train of fifty cars loaded with coal. The amount of coal was 162½ tons—the aggregate weight drawn by the engine was 275 tons. It was one of the noblest spectacles we ever witnessed to see the engine gliding over the road with a train of loaded cars forty rods in length, apparently with perfect ease and self moving power.

Receipts of Coal at Corning from the mines of the Arbon Coal Company via Corning and Blossburg railroad for the week ending July 13,.....Tons 1,790  
Received previously..... 5,848

Total..... 7,638

Shipped to Albany and intermediate places during the same week..... 1,047  
Shipped previously..... 5,759

Total..... 6,806

*Corning Paper.*

**Stone Coal.**

We understand that a vein of coal was struck a few days since, while quarrying stone about one mile from this village. This will prove another source of wealth to the people of this section, in addition to the great supply of pine timber and quarries of splendid building stone, both of which are abundant in this vicinity. How extensive this mine of coal may prove, we cannot say; undoubtedly our mountains abound in coal.—*Hinsdale (Cattaraugus Co.) Gazette.*

**A Remarkable Fact.**

A merchant of Wilmington told us the other day, that in upwards of twenty years experience, he had not known a single vessel to leave the port from not being able to procure a freight. Such is the variety of products shipped from this port that freighting vessels can always procure a cargo to some part of the world.

*Wilmington (N. C.) Chronicle.*

The ship Governor Troupe, about 8 years old, 429 tons, carries 1200 bales of cotton, was sold in New York for \$12,100.

**Public Meeting at Washington.**

The citizens of Washington assembled in town meeting on Thursday, W. W. Seaton, the Mayor, in the chair. John P. Van Ness and Richard S. Coxe, Esqs. addressed the meeting; and the following resolutions, proposed by Mr. Coxe, after undergoing a slight modification, at the instance of Mr. Van Ness, were adopted unanimously, viz:

Resolved, That the citizens of Washington have learned with feelings of mingled regret and indignation that an indecorous and disgraceful effort was made a few evenings since to outrage the feelings of the President of the United States, and insult him and his family, by a noisy and tumultuous scene of riot within the precincts of the President's mansion.

Resolved, That this conduct merits and has received the indignant reprobation of all the orderly and well-disposed citizens of Washington, without respect to party.

Resolved, That the citizens of Washington, of all political parties, condemn, in the most distinct terms, all such lawless and riotous conduct, as disgraceful in itself, and disreputable to the community in which they reside.

Resolved, That John Tyler, President of the United States, not only in his official character, is entitled to our respect, but that, as an individual long and well known to us, and who for many years, as a member of Congress, manifested the greatest zeal in the promotion of the best interests of the District of Columbia and of the city of Washington, he is eminently deserving of our regard and gratitude, and that we view any attempt to outrage or insult him in this city as an outrage and insult to ourselves.

Resolved, That the citizens of Washington pledge themselves to exert all their energies to prevent, suppress, and punish such breaches of the peace, and such violations of propriety as those which have led to this expression of their opinion, and on all occasions to protect the President and other public functionaries from insult and from outrage.

Resolved, That it be recommended to the City Councils to offer a suitable reward for the detection and punishment of such outrages.

Resolved, That it is the earnest and anxious wish of the good people of Washington that an active, efficient, and vigorous police should be established in this city, to prevent violations of the peace, to maintain order and decorum, and to bring to condign punishment the perpetrators of such outrages; that the United States is, in our opinion, equally interested in this object; that this city being the seat of Government, where so many public functionaries reside, where so much public property is centred, where so many public records of inestimable value are deposited, where the representatives of foreign nations and a large number of strangers are ordinarily collected, all of which are entitled to the protection of the collective power of the nation, it is the opinion of this meeting that a competent police ought to be established at this place, under the authority of the General Government.

Resolved, That a committee of five citizens be appointed by the Mayor, in conjunction with the Mayor, to present to the President a copy of these resolutions and to communicate them to each House of Congress.

A resolution was also adopted, exonerating the Mayor from all blame. The committee raised in pursuance of the last of Mr. Coxe's resolutions, consists of Wm. W. Seaton, the Mayor, R. S. Coxe, J. P. Van Ness, General Towson, Joseph Bryan, and Thomas Blagden.

The committee appointed to present to the President of the United States a copy of the resolutions passed at a meeting of the citizens of Washington on the 19th ult., waited upon him for that purpose on Saturday last. The Mayor presented the resolutions to the President, who responded to them substantially as follows:

That he was highly gratified with the course pursued by the citizens of Washington in this matter, and with the sentiments expressed in the resolutions; that he was especially so at learning from the committee that in their opinion the impropriety referred to was committed by strangers, in which

few residents of the city were believed to have been concerned. That he did not regard the act itself in any very serious light, but only as one of those ebullitions of feeling which would occasionally take place in regard to public measures when the public mind became strongly excited. That, from a long and intimate acquaintance with the citizens generally, he entertained towards them the warmest feelings of kindness, ranking among them many of his cherished friends, and he was particularly pleased at finding those feelings of good will fully reciprocated by them. He observed that no individual who had preceded him in the position he occupied could have exceeded him in devoted attachment to the interests of the city and District, in feelings of personal kindness towards the citizens of Washington, or in deep solicitude for their individual and common prosperity.

The President added, that he trusted the occurrence which had induced this expression of personal good will towards himself, and this public reprobation of such acts, would be productive of beneficial results far more than sufficient to compensate for the comparatively unimportant immediate evil. That while differences of opinion prevailed among men, which, under the peculiar circumstances that must exist at the seat of Government, might lead to some ebullition of feeling and to the freest expression of individual sentiment, there was nothing in this that ought to, or should be permitted to interfere with the most kind and unreserved private intercourse between himself and the citizens generally. That he concurred cordially and fully in the idea suggested by the resolutions, that every consideration rendered it desirable that a vigorous and effective police should be established at the seat of Government, at the expense of the nation, for the protection and security of the officers and property of the Government, the representatives of foreign nations, and the numerous strangers who were drawn here by business connexion with the Government; and that until this was done the duty assumed by the nation in accepting this District as the seat of Government was but half performed. He requested the committee to communicate to the citizens and to receive themselves the high gratification which their communication had conferred upon him, and his sincere thanks for the personal kindness which they had manifested.—*National Intelligencer*.

**New Jersey Oil Cloth Factory.**

We have been gratified recently with an opportunity of witnessing the progress and operations of the improvements recently introduced into an important branch of domestic manufactures, by a visit to the *New Jersey Oil Cloth Factory*, established at Elizabethtown, through the enterprise and skill of Mr. J. D. Edwards. The old mode of printing the cloth, which is both more laborious and tedious, has been entirely superseded by Mr. E's improved patent printing presses, that do the work with the utmost accuracy and beauty. Other improvements have also been introduced by the enterprising managers of this establishment, to diminish the labor and increase the beauty and finish of our oil floor cloths. The blocks, or patterns for printing are all made in the cutting room attached to the establishment, and by the aid of a patent cutting engine, the figures are made with mathematical precision and accuracy, and with unprecedented dispatch.

The Factory comprises two very large buildings, one of which is 140 feet by 48, and the other 136 feet by 30, and it produces about 120 yards of superior oil carpet per day. We noticed among the immense breadths of carpeting now hanging up to dry, a great variety of the most beautiful patterns, vying in brightness and beauty with anything of the sort we remember to have seen. Nothing is now wanting to crown the enterprise of our fellow-citizens, and give the fullest success to this useful branch of domestic manufacture, but the fostering aid of Government. We commend the subject to the attention of our Representatives, not doubting that they will render every practicable aid to have some just provision in its behalf introduced into the bill on duties and drawbacks now before Congress.

[*Newark Daily Advertiser*.

**American Cotton Planters in India.**

In Vol. II. page 286, an account is given of the departure of some American planters with a view to the culture of cotton in India. Below is a letter probably from one of them, showing what success may be expected to attend their labors.

The Mobile Journal publishes the following extract from a letter from a native of one of the cotton growing States, who is now in India under a contract with the Government, or a company who are making an attempt to improve the culture of cotton in that country. The letter contains information which is curious, and deserving of attention from the authenticity of the same.

CALPEE, May 10th, 1841.

I am now about six hundred miles from Calcutta, in the District of Bundieund, and have commenced business after a sort of fashion. As to labor, I can get plenty, such as it is; one of our negroes will do more work than five of the natives. They are something like our Choctaw Indians at home, only much inferior in strength, courage, and energy.

There is no forest for them to roam in here, as the Choc-taws have, and they are therefore compelled to make a living such as it is by labor, and the rent to the Government eats out the profit of all they do cultivate. The land here all belongs to Government, and the natives have to pay rent for using it. The rent is from three to nine rupees per begha, according to situation; the nearer a well, the higher the rent, three *beghas* make about one acre of our measurement. This grinds them down so hard that they rarely attempt to make more than a mere living, which is nothing but a little rice. There are few of them that ever get animal food at all, so you may judge what sort of creatures they are for labor, compared with our negroes at the south. I do say that this is a great deal more slavery than that of the slaves in North America. You may say they have no masters to order them to their work as you do slaves, but they are nothing like as well provided for or as happy. You can hire the best men here for five pice a day, women and boys at two to three pice—there are 43 pice in a rupee, and a rupee is worth about 45 cents of our money—so you see the free laborer here gets less than five cents per day, or one dollar and a half a month, with which to clothe and feed himself and pay rent to government.

Besides this, there are other circumstances against this being an agricultural country. There is hardly any timber fit for use. I have seen no tree, since I have been here, higher than 30 feet to the top branch. There are no horses fit for work, except the Arabian brought from Persia, and sold at high prices, from hundreds up to two thousand rupees, which is too much for any farm horse, and so we have nothing to depend upon for ploughing, but very small oxen, much inferior to those in America. We may make about 200 pounds of cotton to the acre, and three acres to the hand, which will be about 600 pounds, or a bale and a half of our weight, to the hand, but I have not yet heard of more than 100 pounds to the acre, and that of very inferior stuff compared with Mississippi cotton. Still as this is much better than the native cultivation, I may do quite as well for myself as at home, for I am disposed to think the Government will be liberal. I shall, nevertheless return to America at the close of my engagement.

The native dress here is nothing but a strip of cloth, tied round the middle, and a turban on the head, of another strip, the rest of the body in both sexes is naked, exposed to the sun and weather. The women you may judge of, when I say they are more offensive than the Choctaw women. If any difference, the Choctaws have it.

The writer's route to India, was Paris, London, Malta, Alexandria, down the Nile to Cairo, thence by the way of the Red Sea to Bombay, and Calcutta, a journey which, while it excited the wonder of a Mississippi cotton grower, served also to raise his disgust at many things which met his eye and his other senses, and caused him to declare himself more of an American than ever.

**American Silver.**

Mr. F. Blackburn has placed in the Exchange a sample of silver, entirely *pure*, from the Washington mine, Davidson county, North Carolina. The mass weighs 277 ounces, and is worth about four hundred dollars. As we do not remember to have seen any silver from mines in this country before, we made some inquiries as to the manner of obtaining it, and the chances of getting more; and the following is the result.

The company went into operation, under a very advantageous charter from the State of North Carolina, about the first of September, 1840, the mine being then but partially opened, and showing the bed of ore to be of very great extent, comprising millions of tons of ore, of the richest kind. In the early part of 1841, one furnace for smelting was put into operation, which up to the present time, has produced 25 tons of mixed metal, (lead and silver;) the early smelting, from which this sample is made, yielding only about from one hundred to two hundred and fifty ounces silver to the ton, and gradually improving up to this time, when it yields five to six hundred ounces per ton of mixed metal. Within the last few weeks, two more furnaces have been put in operation and three more, making in all six, will go into operation very shortly, when the yield will equal from 1,500 to 2,000 pounds per day, valuing from \$525 to \$800. The proceeds of the one furnace have been sufficient to more than pay the expenses of the mine since going into operation up to the first of September, from which period the dividends of the company will commence.

The office of the company is at 24 Church Alley, where samples of the lead and litharge may be seen, and any further information on the subject may be had.—*U. S. Gaz.*

**Tobacco Monopoly.**

A late letter of the Paris correspondent of the National Intelligencer says, it is matter of special notice here, that a vessel from the Chinese seas has brought to Havre, for the tobacco *regie*, or Government monopoly, six millions of Manilla cigars, "highly flavored and universally preferred in the East."

Tobacco in France, and cotton in England, brought from the East to compete with our growth of these staples, will admonish us that in such matters we must be on the look out for our own interests.

**Native Diamonds.**

Besides the richest soil in the world, banks of almost pure lead and copper, and a mountain of solid iron, it appears from the following letter from Mr. John Locke, of the Medical College of Ohio, that it is probable that *diamonds* may be had if trouble is taken to look for them. The stone in question was picked up on the Wabash by a laborer, about seven miles from the Tippecanoe Battle Ground, and was in its rough or natural state. This being the first ever found in this country, Mr. Locke very properly suggests that it should be placed in the National Cabinet lately commenced at Washington. The following is his description of the stone:—*Baltimore American.*

The stone as presented to me is spheroidal in figure, shaped not unlike a small beam, being a little less than half of an inch in length, one-third in width, and one fifth in thickness, having twenty-four convex crystalline facets. Its weight is 12,746 grains, or very nearly 12 grains and three-fourths, and its specific gravity 3,544. At one of its sharp ends it cuts glass readily, and scratches quartz crystal. It cannot be scratched by a file nor by grinding on a grindstone, is quite transparent and reflects from its interior that bright flood of light characteristic of the diamond. By friction it becomes positively electrified. It is nearly colorless but has a perceptible shade of yellow. A small flaw is visible in the interior, and about five black sand specks; the facets are not quite smooth, being somewhat striated, but still with a good degree of brilliancy. The specific gravity 3,544 clearly distinguishes it from quartz which never exceeds 2,88, and its crystalline form, "a spheroid of 24 convex facets" determines it not to be a white topaz. Indeed there is no doubt that it is a diamond.

### Launch of the Frigate Congress.

There is much beauty in the general movement of a ship from her ways to the element in which she is intended to move,—and in proportion to the size of the vessel is the attraction to a launching. On Monday last thousands of spectators were congregated on our wharves, bridges, hills and islands, to witness the launching of one of the most noble and beautiful ships in our Navy—the Frigate Congress.

The day was fine—every boat in the river was in requisition, and flying like insects upon the mirror-like surface of the river. On one side of the ship-house was stationed the steamer *Huntress*, and on the other the steamer *Portland*, waiting as bride maids to escort the Frigate to her moorings. At a little distance in the stream lay the snug little *Apprentice Brig*, with her full crew of active lads on board, and her rigging decorated with twenty flags:—and putting and blowing as if out of breath with trepidation at the narrow escape from the “*dangerous rocks*,” came the steamer *M. Y. Beach* up the Narrows, and lay off in the stream with other spectators. At about half past ten the guns at the Island called the public attention, and every store and workshop in town was deserted. At a quarter past eleven slowly she began to move—and majestically dipping and plunging into the foam of her own creation, with a force that parted like pack-thread a two-foot cable, the Frigate Congress in a few moments sits like a “thing of life,” checked to the limits assigned her, and gracefully moving in unison with the heavings of the bosom of the water, which her entry had put in commotion. Nor was that commotion a slight one: at the shore where we stood, a sixth of a mile distant, the waves came rolling up like the swell upon a sea beach. A sight scarcely less interesting than that of the launch, was exhibited after the steamers were attached to her sides. They came abreast nearly over to our wharves, and then turned to the Frigate’s moorings—like a huge elephant between two puny drivers.

The following are the principal dimensions of the *Congress*.

Length between perpendiculars from foreside of rabbit of stem to aft side rabbit of post at height of gun	ft.	in.
deck forward and cross seam aft,.....	179	9
Moulded breadth of beam,.....	46	6
Extreme breadth outside of plank,.....	47	8
Depth from base line to top of gun deck,.....	24	10
From top of gun deck to top of spar deck,.....	7	3
From top of spar deck to top rail,.....	4	6
Total depth from brace to rail,.....	36	7
Length of Keel.....	164	ft.
Length of Gun Deck,.....	183	
Length of Spar deck,.....	186	
From Knight heads to taffrail.....	189	
Length of Cutwater.....	15	
Extreme length from end of Cut-	} —	
water to taffrail .....		} 204
Armament	26 32 pounders	
	4 Paixhan	
	20 32 medium,	} Spar Deck.
	50 Guns.	

She has a billet head. Her stern ornaments are the National emblem, an *Eagle*; on each side is the National Flag and Olive Branch, emblematic of peace and thrift. The centre piece is the Roman emblem of the strength of union and authority—a bunch of rods bound together, &c.

About 80,000 pounds of copper bolts were used in constructing her—and about 30,000 pounds of sheet copper were used on her outer work.

The keel was laid in the month of August, 1839. The work was suspended from September 1839, to April 1840: making the working days on the ship 522. The average number of men employed was 42 carpenters, 15 laborers, 8 smiths, 10 joiners, 6 sawyers and 5 caulkers. Average rate of pay, 1 dollar 43 cents per day.

The Congress is of heavier tonnage than the 74 *America*, built in this harbor in the Revolutionary War.

The building of the Congress was commenced in the year 1839, whilst the Navy Yard was under command of Commodore CRANE, who retired from the command about a year since, and was succeeded by Capt. JOHN D. SLOAT, the present Commandant. The Naval Constructor is SAMUEL M. POOK, Esq., who has superintended the construction of the ship from the commencement.

Too much credit cannot be given for the admirable arrangements made upon this occasion, and for the systematic, orderly and perfect manner in which they were carried into effect. There was no noise, and not the least disorder or confusion, and we are happy to add, that not the slightest accident occurred to any one, from the time of laying the keel to her mooring in the river.

Numerous visitors from abroad were present—among them Commodore Downes, and several other officers not attached to the yard. Benjamin Russel, Esq., was also present: *fifty-nine* years ago he made a visit to Portsmouth on a like occasion, and witnessed the launch of the *America* 74.

*Portsmouth Journal*, Aug. 21.

### Portsmouth Navy Yard.

During the Revolutionary War, there were built in Portsmouth harbor, for the United States, the following Ships of War:—

The Raleigh Frigate.....	750 tons.	32 guns.
The Portsmouth.....	300	18
The Ranger.....	300	18
The Bellona.....	300	18
The America.....	1700	74

and between the years 1796 and 1799, the following:—

The Crescent Frigate.....	600 tons.	36 guns.
The Scammel, revenue cutter...	130	14
The Portsmouth.....	480	24
The Congress.....	1250	36

The same constructor, Col. Hackett, was employed by Government on all the above ships. The master workman on the Congress under Col. Hackett, was William Badger, who for thirty years after was a distinguished ship builder, and launched from his yard about fifty merchantmen, many of which are now afloat on the ocean. The Island which now bears his name, was then called Continental Island.—The island on which the present Navy is located, was not purchased until afterwards.

Mr. Mark Green, a Revolutionary patriot, now in his eightieth year, informs us that he did the decoration work on the old Congress Frigate, and was well acquainted with her construction. He says that vast improvements have been made in building in the last half century. The mode of propping up a vessel on her ways was then so little understood, that it actually cost about \$10,000 to remove the bolts and fixtures from the old Congress after her launching!

The old Congress’ figure head was a Lady, about 14 feet in height, with her hand pointing to a gilded eagle resting upon a pile of books. On her first cruise the Congress encountered a gale of wind, which swept all her masts, bowsprit and the figure-head. On being repaired, a billet-head supplied the place of the figure. Her masts were swept away in consequence probably of being closely wedged in both the lower and the gun decks, and from neglecting to have the rigging properly set up.

The Frigate *Crescent* built for a present to the Dey of Algiers, was launched June 29, 1797, and sailed for Algiers January 18, 1798. She had on board 36 barrels of dollars, and other presents, making the whole value of the vessel and cargo about \$300,000! This servile tribute we had to pay, when our navy was small. When our navy had gathered strength some fifteen years afterwards, a gallant Commodore displayed his ports to the tyrant, and settled accounts in full with the Dey, by a few cannon-shot instead of silver dollars.

May our Navy never be called into action—but let it ever be so powerful as to bear a terror in its name.



FEMALE PATRIOTISM.

The following incident of thrilling interest was related by Col. John McDonald, of Ross county, Ohio, at a public dinner on the 3rd ult.

"In 1782, Wheeling was besieged by a large army of British and Indians. So sudden was the attack made, that no time was afforded for preparation. The fort, at the time of the assault, was commanded by Col. Silas Zane; Col. Ebenezer Zane, the senior officer, was in a block house, some fifty or a hundred yards outside the wall. The enemy made several desperate assaults to break into the fort, but on every outset they were driven back. The ammunition for the defence of the fort was deposited in the block house, and the attack was made so suddenly and unexpectedly that there was no time to remove it. On the afternoon of the second day of the seige, the powder of the fort was nearly exhausted, and no alternative remained but that some one must pass through the enemy's fire to the block house for powder.— When Silas Zane made the proposition to the men, to see if any one would undertake the hazardous enterprise, at first all were silent. After looking at each other for some time, a young man stepped forward and said he would run the chance. Immediately half a dozen offered their services in the dangerous enterprise.

"While they were disputing about who should go, Elizabeth, sister of the Zanes, came forward and declared she would go for the powder. Her brother thought she would flinch from the enterprise, but he was mistaken. She had intrepidity to dare, and fortitude to bear her up in the heroic risk of her life. Her brother then tried to dissuade her from the attempt, by saying that a man would be more fleet, and consequently would run less risk of loosing his life. She replied that they had not a man to spare from the defence of the fort, and if she should fall, she would scarcely be missed. She then divested herself of such of her clothing as would impede her speed. The gate was opened, and Elizabeth bounded out at the top of her speed, and ran till she arrived at the door of the block house: her brother, Col. Zane, hastened to open the door to receive his intrepid sister. The Indians when they saw her bound forth, did not fire a gun, but called aloud, "*Squaw! squaw! squaw!*" When she had told her brother the errand on which she had come, he took a table-cloth and fastened it around her waist, and poured into it a keg of powder. She then sallied back to the fort with all the buoyancy of hope. The moment she was outside the block house, the whole of the enemy's line poured a leaden storm at her; but the balls went innocently whistling by, without doing her any injury. She afterwards married a Mr. Clark, raised a family of children, and is yet alive, living near St. Clairsville in this State. Such was Elizabeth Zane!"

*Circleville Herald.*

Utica and Schenectady Railroad.

The Schenectady Reflector says: "This road commenced operations with the month of August, 1836, from which time up to the 1st of August, 1841, makes a period of five years. Within that time the company's locomotive engines have made about 1870 trips across the road annually, or in other words, have run on an average, about 150,000 miles a year, and within the period of five years 750,000 miles. Within the same period they have carried 434,893 passengers over the whole length of their road and 376,696 between intermediate points—making, in the aggregate, 811,589 passengers who have been transported on that road within five years. Within this five years, during which 811,589 passengers have been conveyed on that road, no accident (with but one exception, in 1836, when two passengers were slightly hurt,) has ever occurred, by which any passenger was injured; and no serious injury with but one exception, has ever occurred to any of the men employed on the engines or train. Within the same period of five years, during which the locomotive engines have made, on an average, 1870 trips annually, they have never failed to make any one trip, have never but once been six hours behind their time, although snows

have covered the track three feet deep, and floods have carried off and fire burnt up bridges. There is no line of public conveyance on the face of the globe, not even excepting the Hudson river steamboats, that can show a greater degree of regularity, punctuality, and safety in the transportation of so great a number of passengers, than the Utica and Schenectady railroad, and certainly no railroad that can at all compete with it. This most complete and gratifying success is owing to the care, attention, and skill of Wm. C. Young, superintendent and engineer, and of David Mathews, superintendent of the motive power on that road."

State of the Weather at Salem, Mass.

A statement of the weather and range of the mercury, on the fourth day of July, for thirty-four years.

Sunrise. 2 P. M.

1807	Fair and cloudy alternately through the day	64	80
1808	Cloudy and foggy; afternoon, showers	62	81
1809	Clear and delightful through the day	57	70
1810	Clear, and fine breeze from N. W.	55	75
1811	Clear and fine but extremely warm	77	95
1812	Clear and very pleasant	54	78
1813	Clear, mostly; thunder with appearance of rain	70	92
1814	Cloudy; fine in the afternoon	63	84
1815	Clear and very pleasant	54	78
1816	Clear and delightful	55	75
1817	Clear and very fine	57	83
1818	Clear, nearly, A. M.; cloudy most P. M.	60	74
1819	Clear and fine; P. M., sudden showers	53	78
1820	Clear and a splendid day	70	94
1821	Clear and fine	49	73
1822	Clear and delightful	66	94
1823	Clear and a bright day	45	80
1824	Clear and very fine	60	84
1825	Copious thunder showers; partly fair at P. M.	61	89
1826	Clear; after 4, tremendous thunder shower	66	87
1827	Foggy; fair and delightful day	37	82
1828	Clear, mostly; afternoon, distant showers	59	63
1829	Cloudy and foggy; afternoon, slight rain	69	83
1830	Clear and delightful	70	90
1831	Clear, light fleecy clouds most of the day	65	87
1832	Clear and very fine	57	74
1833	Clear and delightful	65	83
1834	Cloudy and foggy morning; fair and fine day	68	92
1835	Clear, nearly; clouds, very fine	60	80
1836	Cloudy; afternoon, distant thunder showers	59	75
1837	Clear, and remarkable windy; clouds	66	91
1838	Clear, nearly; serene and brilliant	67	84
1839	Clear and fine; N. W. breeze, 3 o'clock, rain	70	98
1840	Rainy and foggy; after 9 A. M., fine day	60	95
1841	Clear and fine, N. W. breeze; A. M. rainy	60	70

*Salem (Mass.) Register.*

Washington Pears.

We have been favored with a specimen of the fruit called the Washington Pear, which for lusciousness of flavor is unsurpassed in the estimation of most people, by any fruit of the pear kind. We are particularly pleased with this fine production, because it is a Delaware fruit, the parent tree of which, was discovered by the late Colonel Robinson of Naaman's Creek, growing in a hedge row on his farm, about forty years ago, and was taken under his fostering care, and still lives in a green old age. This pear was called by Colonel Robinson, the Washington Pear, as a token of the high respect which he felt for his great Commander. The excellence of the fruit has won for it great fame, and the kind, it is probable, will in a short time be greatly increased, as there is a demand for it. We hope that when this luscious fruit shall become abundant, pleasing every palate, that it will not be forgotten that the parent stock was of Delaware growth.—*Del. Gaz.*



### Reminiscence.—Launch of the Old Frigate Congress in 1799.

*From the Portsmouth Oracle of August 17th, 1799.*

On Thursday the 15th, every necessary arrangement being previously made, which could possibly facilitate the labors of the day, Colonel Hackett, United States Naval Constructor, at the Port of Portsmouth, proceeded to prepare for the positive launch of the Frigate Congress, one of the most beautifully modelled and elegantly finished ships in the service of the Union. Mr. Sheafe, the Naval Agent in this department, having forwarded a polite invitation to His Excellency Gov. Gilman, he was pleased to accept of the same, and at the confines of the town was met by as many of the commissioned officers of the first military grades, as could conveniently attend, who escorted him to his lodgings at Col. Brewster's. A large number of respectable fellow-citizens there awaited his arrival. Escorted by Capt. Sparhawk's Independent Company of Light Infantry, he passed over to Continental Island, in the Congress' Barge, handsomely decorated, and followed by a vast number of boats, containing the military, militia officers, citizens, clergy, and strangers of distinction. At the moment of his Excellency's embarkation the flag of the United States was hoisted at the flag-staff on the island; the American standard displayed from the frigate's stern; the stars on a blue ground at the bow, and the Continental pendant amidships. Orders at the same moment were expedited to hasten the knocking away of the blocks, and every workman's hammer was plied with that redoubled activity, and exactness of incessant strokes which constitute the harmonies of the shipwright.

Precisely at 12, the ship, as if self-moved by the independent spirit of that illustrious body, whose name she bears, majestically moved off the ways; made one graceful plunge into her future element, and instantly raising her stern in equilibrio with her head, swept on a right line athwart the channel, swung round, and brought up. Her movements on this occasion may be considered as oracular of her future destinies. The stern pitch and instant recovery forcibly said, *we only bow to the element on which we float; and bid erect defiance to a world beside.* Reiterated cheers proclaimed the sincere pleasure of an immense number of spectators; a federal salute bore the joyous tidings to distant plains, and the huzzas and salutes were returned with animation from the opposite wharves and town hills, and more particularly by the heavy pieces fired on Maj. Boyd's wharf.

### Minutes relative to the building of the Congress.

Exactly 258 working days were employed in the building of this noble ship. The number of shipwrights never exceeded 100, and frequently did not average more than 60 per diem. The regular working hours were from sun to sun; one half hour being allowed for breakfast and one hour for dinner. Gentlemen from all parts of the continent have visited the yard, and acknowledge that they never witnessed such regularity, order, harmony and unity. The length of the Congress is 145 feet keel. Breadth of beam 41 feet; depth from the upper deck 26 feet 7 inches; tonnage 1250 tons: she is destined to carry 36 18 pounders, but may easily carry 44 guns, or in fact be rendered equal to any 50 gun ship.

In the comparison we gave in a recent Journal of the expense of building the five Sloops of War at as many Navy Yards, we reported about 8000 less days' work on the Dale, built at Philadelphia, than on the other ships. We now learn that the masts, blocks, &c. were not made on that Yard, but were received there and reported as *materials*.—At the other Yards, the number of days' labor was reported. This accounts for the discrepancy we could not then understand—and leaves the expense of labor on the Preble, built at Portsmouth Navy Yard, about \$10,000 less than on either of the other four ships built at the same time.—*Port's Jour.*

[See Register, page 76.]

### Bank Reclamations.

Knowing the deep interest felt in the question, we give the points decided by the Supreme Court in the case of *John M. Bates plaintiff in error vs. The Bank of the State of Alabama defendant in error*, which was argued at the present term, by eminent counsel on both sides.

The suit was instituted by the Bank, to recover the amount of a bill of exchange for \$4,632 75, dated 1st May, 1839, and drawn by John M. Bates on, and accepted by himself, at five months time, payable at the Branch Bank at Mobile, and endorsed by F. C. Ellis and Bryan Hines.

The following were the points raised in the defence, to avoid a recovery:

1. By the charter of the Bank, the indebtedness of any one person upon bill, was prohibited from exceeding five thousand dollars. It was admitted that in the same transaction, Bates drew and accepted sixteen bills of exchange, of which that sued on was one, and that fifteen others were for five thousand dollars each.

The court held in substance, that this part of the charter was simply a direction to the Board, and did not, in the particular case, avoid the contract.

2. That the Bank could not recover, because the bill originated, in a dealing by the Bank, in goods, wares and merchandise, forbidden by the charter. That this dealing was established by the following facts: Bates drew and accepted sixteen bills, with two endorsers, in consideration of \$79,632 75 received by him at the same time from the Bank, and that he instantly delivered to the agent of the Bank one thousand and twenty-two bales of cotton to sell in Liverpool, and the proceeds to be applied to the payment of the bills.

In adjudicating the second point, the court was not unanimous. Judges Collier and Ormond were of opinion that the transaction, however ill-judged, did not violate the spirit of the prohibition. That the manifest object of the Bank, was to create funds subject to its order in Liverpool, as the pleadings clearly showed; and for that purpose the cotton was received by the agent of the Bank as collateral security, whilst the advance of money on the bills was the direct and primary transaction.

In this view of the question, Judge Goldthwaite did not concur. He was of opinion that the transaction was a dealing in "goods, wares and merchandise," and that the bill was not recoverable by the Bank. But he thought that the State could maintain an action against Bates for so much of the money received from the Bank as he had not re-paid: that its retention by him was against *equity and good conscience*; and further, that every director assenting to the transaction was personally liable to the State for the loss sustained by the Bank.

3. That the purchase of the bill sued on was not made by the Board or directors, in the usual mode, or at the counter of the Bank, but by an agent in Mobile, viz: one of its directors deputed for that purpose.

The court overruled this defence, and believed that though it might be hazardous to the interest of the Bank to invest one of the board with so much authority, yet the purchase of the bill was not void, more especially as the Bank had approved it.

We understand that there are several cases pending in the Circuit Court of Tuscaloosa, of the same character, for reclamations in favor of the Bank; and that by consent of parties, the disposition of one case by the Supreme Court might control the others. If so, the Bank has now no obstacle in its way to a recovery of the difference between the sum of money advanced to J. M. Bates, and the nett proceeds of the cotton in Liverpool. Estimating the quantity of cotton delivered at 500 lbs. to the bale, and that it sold for 18 cents in Liverpool, it would about satisfy all the bills, after deducting about ten dollars per bale for charges of every description. If the cotton sold for 15 cents, the reclamation would be \$15,000; if at 12 cents, it would amount to \$12,000.—We have merely suggested these items to show the character of the transaction in respect to the claims of one party, and the liability of the other.

We understand that upwards of two hundred thousand dollars, claimed as reclamations by the Bank, in other cases, will abide this decision, and of course be recovered by the Bank.—*Tuscaloosa Monitor*.

Cunard Steamers.

A friend has furnished us with the following statistics.—Being intended for our last paper, the last passage of the Columbia is not included in the table relating to the Steam Ships.

The *Cunard Steamers* have made twenty passages from England to Boston in a little more than twelve months.—The following is the length of the various passages :

	days.	hours.					
Britannia	14,8	13,12	13,12	17,12	15,10	13,12	
Acadia	12,12	12,12	16,22	18,12	13,12	12,12	
Caledonia	13	14,22	15,20	14,12	13,1		
Columbia	16,15	15	12,2				
Thus the							
Britannia has made 6 passages, aggregate	87,18	av.	14,15				
Acadia “ 6 “ “	86,10	“	14,10				
Caledonia “ 5 “ “	71,7	“	14,6				
Columbia “ 3 “ “	43,17	“	14,14				
Acadia’s average short of Britannia, 5 hours							
Caledonia’s “ “ “	4	“					
Columbia’s “ “ “	1	“					

Twenty passages—aggregate	289,4	—av.	14 days 11 hours.
Winter passages,	3	of 17 days	nearly
Spring “	5	of 16	“
Summer & Fall,	12	of 13	“
Acadia longest passage,	18	days	12 hours
Columbia shortest “	12	“	2 “ diff. 6,10

In the year 1838, the Old Line of New York Liverpool Packets made 19 passages outward to Liverpool in 670 days—average 35 days; and from Liverpool in 398, average 21 days—less home 272 days.

The Ship England made the shortest passage  
out, 16 days  
home, 20 “

[See Vol. II. p. 132, for N. Y. Steamers.—Ed.]

Vessels entered in Boston, in July 1841.

From foreign ports,	258	
British	126	—132
Cleared	225	
British	131	—94
	226	
Entered and cleared	486	
British	257	
All others	226	

Duties on Teas.

A cargo of Teas imported into Salem, from Canton, in the year 1831, cost.....	\$ 92,636	77
Duties on the cargo at that time .....	117,567	22
Duties more than cost of cargo.....	24,930	45
The duties on the same cargo, at 20 per cent. would be .....	18,527	35
Duties in 1831, more than cost and duties at 20 per cent. ....	6,403	10
Under the Old Law, the Tea paid a little more than 30 cts. per lb.; under the New Law, if it should pass, a little less than 5 cts. per lb.— <i>Salem (Mass.) Reg.</i>		

The Supreme Court of Alabama

Has just closed an unusually laborious session. The Judges have already delivered upwards of one hundred written opinions, many of them voluminous, and have thirty or forty, we learn, still to write out, after settling the points of law.—The court is still open, although the docket has been cleared, and will not be formally adjourned, until the opinions are all delivered.—*Tuscaloosa Monitor*.

*Parallel between the Great Western Railroad of England and the Great Western Railroad of Massachusetts.*  
The Great Western Railroad of England was commenced in 1836.

The Great Western Railroad of Massachusetts was commenced in 1836.

The Great Western Railroad of England finished in 1841. Great Western Railroad of Massachusetts finished in 1841.

Great Western Railroad of England is in length 118 miles. Of Massachusetts 117.

Great Western Railroad of England cost five millions and a fraction pounds. Of Massachusetts five millions and a fraction of dollars,—(one-fifth the former sum.)

Great Western Railroad of England terminates with a railroad which it leases running to the West. The Great Western Railroad of Massachusetts terminates with a railroad which it leases running to the West.

The Great Western Railroad of England is the most splendid work of the kind in Great Britain. The Great Western Railroad of Massachusetts is the most splendid work of the kind in America.—*Bunker Hill Aurora*.

Something Interesting.

With this caption we find an article in the St. Louis Evening Gazette, which makes mention of a gentleman named Nangle, from Philadelphia, having been smitten with the Texas fever some two years ago, hied away to that Eden of America, and did not stop till he reached San Antonio. He was delighted with the transporting scenery, and serene and salubrious airs of that delicious region, and he resolved to stay. But being out of means, he bethought himself of turning his skill at stone cutting to account. So taking the lime stone, used in the structure of the Alamo—now consecrated by the blood of the bravest of the brave—he wrought out a great variety of useful and ornamental articles, which sold upon the spot with great rapidity. This stimulated his enterprise, and he determined to “spread” himself beyond the home market, and has accordingly sent to the United States sundry specimens of his manipulations—some of which have found their way to St. Louis—which embrace a variety of specimens, consisting of seals, paper weights, pipe bowls, little vessels, &c., &c. The lime stone is very fine and smooth, and easily cut.

Large Water Wheel.

The Wilmington Delaware Chronicle says, that the Messrs. Dupont have erected a water wheel for a cotton factory near their powder mills, which is truly a curiosity. Its diameter is upwards of forty feet, and its width less than three feet. It runs on friction wheels and turns with a few buckets full of water. This is a large wheel, but there is a larger one in Burden’s nail factory, near Troy, N. Y. The wheel much exceeds in diameter that named, and its width, we think, is about 18 feet. Each bucket will hold nearly a hogshead of water. The shaft is of cast iron and the projecting arms which sustain the buckets are iron rods, instead of huge wooden timbers. There are about 800 of these rods springing from the shaft, and when the wheel is in motion, it is indeed a novel and beautiful sight. This one wheel moves all the operations of various trip hammers, rolling and slitting mills, and an immense number of machines for making nails and spikes. It is one of the most extensive and interesting work-shops in the United States.

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Pennsylvania & Ohio Canal Company.

Final Report of the Principal Engineer to the Board of Directors of the Pennsylvania and Ohio Canal Company, May 21, 1841.

GENTLEMEN:—

The time for which I have been employed to superintend your Canal having now expired, I deem it my duty to make a final Report, embracing the cost, repairs, present condition, and resources of the work so far as they come within the sphere of the Engineer Department.

The distance from the Ohio River to the eastern termination of this Canal by the Beaver division of the Pennsylvania Canal is twenty-one miles. On this division of the Pennsylvania Canal are fifteen locks, and five dams across the Beaver River, making sixteen miles of slack-water navigation.

The length of the Pennsylvania and Ohio Canal as now constructed is eighty-four miles, but may be reduced one mile by cutting through the peninsula on Draper's farm, five miles below Warren, at an expense of from three to five thousand dollars.

From the intersection of the Ohio Canal, at Akron, to Cleveland is thirty-eight miles; making the whole distance from the Ohio River to Lake Erie by this route one hundred and forty-three miles; and from Pittsburg one hundred and sixty-nine miles.

The distance from Pittsburg to Beaver has generally been called twenty-eight miles, but I know from actual survey, that a Canal connecting the Pennsylvania Canal at Allegheny with the Beaver division would be but twenty-five and a half miles in length.

The distance from Pittsburg by this Canal to Bolivar, the western termination of the Sandy and Beaver Canal is one hundred and seventy-three miles.

The whole length of this Canal including its navigable feeders is one hundred miles; and the amount paid and due contractors for work and materials is \$1,076,912 71. Of this, \$118,348 50 has been expended on the feeders and reservoirs.

This, by referring to my Report of December, 1838, will be found to differ from my estimate but \$440 33, after deducting \$1,895 42 for farm bridges in Pennsylvania, and \$2,925 39 the estimated cost of Congress Lake feeder, not included in that estimate. The amount paid to contractors for work and materials is ten thousand and seventy-six dollars per mile.

The number of locks on the Canal is fifty-four; the ascent and descent four hundred and fifty-four feet, and three locks on the feeders, with an aggregate lift of fifteen feet. There are four locks, one aqueduct, seven culverts, seven road, one tow-path, and seven farm bridges in the State of Pennsylvania; and fifty-three locks, one aqueduct, seventy-three culverts, fifty road and thirteen towing path bridges, and nine dams in the State of Ohio.

The Canal has not been re-measured since it has been completed; that portion that lies in the State of Pennsylvania will not vary materially from ten miles, and has cost  
For work and materials.....\$144,939 19  
Expenses of Engineer Corps..... 8,820 00  
Damages..... 688 00

Cost not including the expenses of Directors, Collections, &c.,.....\$154,447 19  
VOL. V.—19

That portion of the canal which lies in the State of Ohio is seventy-four miles long, and has cost for work and materials.....\$812,725 02  
Feeders and Reservoirs ..... 118,348 50  
Expenses of Engineer Corps..... 57,348 50  
Damages ..... 27,918 37

Cost in Ohio, not including the expenses of the Board of Directors, &c.....\$1,916,025 21  
Add cost of work in Pennsylvania..... 154,447 19

Claims for damages not yet adjusted, which may amount to..... 1,000 00

Total cost of the work, as above.....\$1,171,472 40

Hence it appears that the work has exceeded my estimate of 1838 four hundred and forty dollars and thirty-eight cents, (after deducting the cost of the farm bridges and Congress Lake Reservoir;) and the superintendence and incidental expenses, ten thousand four hundred and fifty-nine dollars and sixty-nine cents. This latter excess was mostly caused by the work not having been completed in the time contemplated.

Mr. Foster estimated the Eastern Division without farm bridges or waste-wiers at the locks to cost \$581,108 91.

These appendages have cost more than ten thousand dollars, and this division has been completed for five hundred and three thousand nine hundred and forty three dollars and seventeen cents; making a saving of \$77,165 74. This has been accomplished, not by reducing the wages of labor, but by reducing the amount, by changing the location and plans, where the work had not progressed too far. Twenty thousand dollars have been saved by changing the location at Draper's farm five miles below Warren. The cost of the four dams across the Mahoning has been reduced more than twenty thousand dollars, and sixteen thousand dollars have been saved by the change of the plans of the locks, and a greater sum by changing the plans of the culverts. I believe that this board will concur in the opinion that the location, locks, aqueducts, dams and culverts have not suffered by the change, and that they are more permanent and durable.

That it may be known hereafter on whom to bestow praise or blame, I will state that the Shenango Aqueduct was completed, except the superstructure and the three west piers above the second course of stone; the South-East Branch Aqueduct was completed except the turning of the arches, and the side or parapet walls and the coping on the wings; and the stone were all cut for the arches; locks 1, 4, 6, 8, 11 and 21, counting from the junction, were completed except the gates, and the materials were nearly all prepared and one-third of the walls of 3, 6, 7, 9 and 12 built when I took charge of the Eastern Division.

The whole canal and feeders with the exception of about fifteen miles were filled and used in the summer of 1839, the work proved and the breaches repaired. Much of the work had been finished from two to four years and had sustained considerable damage, making the repairs up to 1840 equal one year's use. The repairs for 1839 and 1840, (two years) have been \$29,629 20; of this \$5,584 63 have been expended in Pennsylvania, and \$22,944 57 in Ohio.

In the construction of the canal, when stone could not be procured without great expense, for protecting the embankments, where they were located in the river, a temporary

protection of brush was substituted until stone could be brought in boats. This has increased the amount for repairs two thousand dollars.

Other work was omitted whilst the Canal was being constructed, and has been since done by the Superintendents' parties to the amount of at least five thousand dollars, which should be deducted from the cost of repairs and added to construction.

There is about six thousand dollars more of this kind of work yet to be done, which can now be done for one-half of what it would have cost at the time the Canal was constructed.

The repairs from the 1st of January to the present time (4½ months) have cost four thousand five hundred dollars which is about equal to the tolls received for the last thirty days.

There has been drawn from the Treasury and expended in constructing boats, and purchasing beds, bedding and other furniture, and tools, \$3,531 13. Other tools and bedding have been purchased and paid for in the accounts of the Superintendents and Directors, amounting to more than one thousand dollars, which can be ascertained by referring to their accounts rendered.

I have caused a careful inventory to be made of all the property now in the possession of the Superintendents, consisting of boats, furniture, tools, &c., and find that its present value is four thousand sixty-three dollars and seventeen cents.

The water-power at Franklin will propel ten runs of mill-stones, and when brought into use will be worth .....\$20,000 00

In ten years from the present time one thousand feet of water per minute will be discharged on the Akron level that can be made available for hydraulic purposes, which will propel twenty-one pairs of mill-stones, worth, including lands to use the same ..... 40,000 00

The value of the hydraulic power at the other locks when brought into use ..... 25,000 00

The value of water power which may be realized in ten years ..... 85,000 00

Real Estate and subscriptions well secured, worth ..... 28,000 00

Add the value of boats, tools, &c ..... 4,163 17

Total value of property.....\$117,163 17

The expense of constructing Muddy and Sandy Lake Reservoirs and Feeders including damages would be \$50,000 00. Should they be made they would double the value of the hydraulic power throughout the whole Canal.

The reservoirs already constructed will furnish two thousand cubic feet of water per minute for two hundred days.

The Cuyahoga River at the dam at Shalersville will guage two thousand cubic feet per minute for one hundred and twenty days of ordinary drought, four thousand feet for eighty days, and exceed ten thousand feet for the balance of the year.

The river, as the works are now constructed, furnishes the whole supply for the summit, and is sufficient to pass sixty boats per day.

When the business on the Canal shall require a greater number of boats, the reservoirs of Sandy and Muddy Lakes, must be made, and their waters brought on to the summit level.

I am clearly of the opinion that in ten years from the completion of this Canal there will be business for forty boats daily through the season of navigation, and that the dividends will not be less than ten per cent. per annum.

In consequence of the deranged state of the currency, and the great falling off of merchandise imported into this country it is difficult to predict with much certainty the amount of tolls that will be received this season. They must I think exceed twenty-five thousand dollars, and may come up to thirty thousand. This may appear small to many, but to those who know the difficulties of establishing business on

a new Canal and the length of time required to adapt the agriculture of a country to the new state of things, it will appear very prosperous and highly flattering.

The repairs will not amount to more than twelve thousand dollars for the whole season.

Two thousand dollars will probably be expended on the unfinished work mentioned in the former part of this Report. To this must be added the salary of the Engineer and the expenses of the Board of Directors.

The great difficulty to be overcome in order to establish a brisk and profitable business on this Canal is the unwillingness of the transportation companies of Pennsylvania to extend their lines of boats from Johnstown into the interior of Ohio, and by that means avoid the delay and expense of transshipment and storage.

The capitalists of Philadelphia and Baltimore appear not to be sensible of the importance of the trade of the interior of Ohio, and think that they have accomplished all that is necessary when they reach the Ohio River. To correct this error I will quote from an authentic document drawn up by the collector of canal tolls in Cleveland.

**CANAL COMMERCE.**

COLLECTOR'S OFFICE, }  
Cleveland, January 1st, 1841. }

Of property on which toll is charged by weight, there arrived at Cleveland, by way of the canal, during the past year ..... 280,233,820 lbs.

During the year 1839, there arrived ..... 186,116,267 "

Being an increase of ..... 94,117,553 lbs.

The following are the principal articles of property that arrived at Cleveland, by way of the Canal, during the years 1839 and 1840 :

	1839.	1840.
Bushels Wheat .....	1,520,477	2,151,350
do Corn.....	64,825	72,842
do Oats .....	15,901	22,881
do Mineral Coal.....	140,042	167,045
Barrels Flour.....	266,337	504,900
do Pork .....	30,535	23,000
do Whiskey .....	6,020	9,967
Pounds Butter.....	119,727	782,033
do Cheese .....	200	22,890
do Lard.....	869,805	513,452
do Bacon .....	1,316,273	683,499
do Pig Iron .....	768,300	1,154,641
do Iron and Nails.....	48,659	2,252,491
Hhds. Tobacco.....	327	932
Pieces, Staves and Heading .....	778,931	634,954
Cords Wood.....	3,070½	2,809

Of property on which toll is charged by weight, there were cleared at Cleveland, by way of the canal, during the past year..... 42,772,233 lbs.

During the year 1839 there were cleared.. 64,342,361 "

Being a decrease of..... 21,570,128 lbs.

The following were the principal articles of property that were cleared at Cleveland, by way of the canal during the years 1839 and 1840 :

	1839.	1840.
Barrels Salt .....	110,447	76,729
do Lake Fish .....	9,062	8,959
Pounds Merchandise.....	17,455,703	9,563,396
do Furniture .....	1,623,155	1,215,467
do Gypsum .....	2,631,730	1,770,016
Feet Lumber.....	3,050,192	1,265,656
M. Shingles.....	3,246½	2,560½
Pairs Mill Stones.....	30	21

D. H. BEARDSLEY, Collector.

Surely this amount of business is worth contending for, and ought not to be permitted to be monopolized by the New Yorkers without some effort to participate in its advantages.



The want of a canal from Beaver to Pittsburg, is a serious obstruction to the business on this route when the Ohio River is low, but does not present very great difficulties when the water in the river exceeds four feet. If the State of Pennsylvania does not undertake this work soon, the stock of the Pennsylvania and Ohio Canal Company should be increased and the work done by them, for I am confident that it would double the dividends of the company. The difficulties to be overcome on this portion of the canal are not very formidable and I would pledge my reputation, with money at command, that I could accomplish the work for five hundred thousand dollars.

I know that the character of this work has suffered abroad in consequence of the small amount expended in its construction; but the fact that the whole has been navigated one year, and more than two-thirds of it two years, and that the cost of repairs has not been one-fourth as much as other canals that have been considered well built, have required, ought to be a sufficient refutation of the slander. Engineers have sometimes gained high reputations in consequence of the great amount of money spent in ornamenting their work, but I have never known the stockholders much enriched by it.

During the whole time I have been engaged on this canal I have devoted my whole mind and strength to it, and have endeavored to discharge the duties of Engineer in such a manner as to merit the approbation of the Directors and Stockholders, and shall ever feel a deep interest in their prosperity.

For the almost unlimited confidence you have placed in me, in the construction of the work, and disbursement of moneys entrusted to my charge, accept my warmest thanks, for I have ever felt it the highest compliment that you could have bestowed on me. And it is with no ordinary emotions of feeling that I now take leave of you.

Respectfully, &c.,

S. DODGE, P. E.

ENGINEER'S OFFICE, May 21, 1841.

Summary Cost of the Work.

Eastern Division in Ohio .....	\$320,788	58
Western Division, West of Ravena Summit..	306,792	57
Do East do ..	185,143	87
	\$812,725	02
Feeders and Reservoirs .....	118,348	50
Work in Ohio .....	\$931,073	52
Work in Pennsylvania .....	144,939	19
Whole amount of work .....	\$1,076,012	71

The National Gazette contains the following case of true benevolence:

A certain "Friend" whom we very well know, was recently at a distant place of summer resort. He stopped at the Post-Office one morning, and while there, the Post-Master asked him whether he knew any English people staying at the hotel.—"Why does thee ask?" said the Quaker, "Because," said the Post-Master, "here are a half dozen letters directed to England by the next steamer, and as the postage to Boston is not paid I cannot send them. If I cannot find the writers of them, they will be forwarded to the dead letter office in Washington." Our "Friend" looked at the letters. They were all double and he remarked—"they appear to be family letters, and no doubt will be most welcome if received, or may cause great anxiety if they should not be." "I cannot help it," said the Post-Master. "Well I can, if thee cannot; what is the postage?" "For six double letters three dollars," "Well here is the money; thee will please mark the letters 'paid,' and send them to Boston." And with this injunction, the Philadelphia Quaker left the Post-Office—his pockets not quite so heavy as when he entered, but his heart, we are sure, a great deal lighter.

The last of the Elms.

The New Haven Herald, in speaking of the Elm which has just been removed from the front of the residence of the late Judge Bristol, on the north side of the public square, in this city, thus remarks: "The old patriarchal Elm, one of the last of the links that connects our sociabilities with the mementoes of our fathers, is gone. After standing through sunshine and storm, the blasts of winter and the summer drought, about 160 years—the ornament of the town, the arena of childish sports, the solemn sanctuary of heavenly aspirations, and the deity of the feathered tribes—it has at length fallen. The axe was laid at the root of the tree on Tuesday, and 'great was the fall thereof.' Willingly would the woodman have spared it—willingly would its old and young admirers have left it stand, but the unsparing and insatiable scythe of time, had scathed its branches and seared its trunk, till the public safety required its removal." This tree was planted in 1686, near the corner of what is now Elm and Temple streets, in front of the parsonage house built for the Rev. James Pierpont, pastor of the first Congregational Church in New Haven; and under its shade, the distinguished divines, Edwards and Whitefield, on various occasions, preached the word of God with powerful and happy effect.

Heavy Rains.

The greatest fall of water ever known in Charleston, came upon us on Tuesday afternoon and night—principally between 11 o'clock in the evening and daylight. The continuous roar of the rain was like the thunder of the ocean in a storm. The quantity of water which fell from 9 A. M. Tuesday to 9 A. M. Wednesday, we learn from the Citadel, was 7 24-100 inches. The actual period during which this deluge was pouring, was not over 7 hours. The cellars in all the lower situations of the city, were flooded, some to the depth of two feet, and much loss was sustained by those who had valuable groceries in their cellars. The city drains in some places were burst by the press of water. The damage to the crops from this frightful flood cannot but be great, as there was every appearance that the rain was general, and it was also accompanied by considerable wind. The business prospects for the coming season are very gloomy. The health of the city, however continues good—probably it was never better at this season, and we have now a fair prospect of escaping the visitation of Yellow Fever.

[Charleston Courier of Aug. 26,

An old Lady.

A correspondent of the Baltimore Argus states that there is now living in Somerset Co., Md., in the lower district near the residence of Hon. T. H. Carroll, an old lady named Mrs. Elizabeth Cottingham, who was according to the records of her family, *one hundred and ten years old* last March. Mrs. Cottingham can see to read without spectacles, and yet talks with good sense, and appears to have a sound judgment, and to exercise her mind about matters of a domestic kind with a great deal of discretion.

A Rich Man.

Henry Brevoort, one of the richest men in New York, died in that city on Sunday last, aged nearly 100 years.—He is thought to have been worth more than \$2,000,000. He was originally a market gardener, and many years ago purchased for about \$500 a small strip of land, which was then looked upon as being in the country. It is now the very centre of business in New York, and of course has increased immensely in value. He held it until his death.

[Baltimore Sun.

Appointments by the President,

By and with the advice and consent of the Senate.

Charles S. Todd, of Kentucky, Envoy Extraordinary and Minister Plenipotentiary to Russia.

Daniel Jenifer, of Maryland, Envoy Extraordinary and Minister Plenipotentiary to Austria.

Thomas B. Pottinger, Marshal for the District of Maryland.



**Heroic Remains—Posthumous Honors.**

The patriotic citizens of Rochester, and of the Genesee Valley, and the neighboring country, have done themselves honor in rendering due honors to the illustrious victims of Gen. Sullivan's famous campaign against the Six Nations. Agreeable to arrangement an immense body of the people turned out on Friday for the purpose of exhuming, with solemn ceremony, the remains of Lieutenant Boyd and his associate Parker, which had been traced to a grave near the new village of Cuyler. The burial place was ascertained through Stone's Life of Brandt and the recollection of Mr. Sanford and Major Van Campen, the only survivors of those who were of the party that buried Boyd. The two bodies were buried in the same grave—Boyd's headless trunk and his mangled, jellied head, with the less mutilated form of Parker. After careful examination through an area of several square yards, the laborers found the bones about two feet below the surface. One skull entire, or nearly so, was found, and a number of teeth, beyond the supply for a single head. Most of the bones were frail and many crumbled to dust upon the slightest abrasion.

Search was also made by a party of gentlemen from Genesee, in Groveland, for the bones of others who fell from the ranks of Sullivan's army, which were sufficiently identified by the presence of pewter buttons bearing the letters U. S. A. Friday was the day appointed for their interment in the beautiful cemetery of Mount Hope, at Rochester. A letter in the Albany Evening Journal draws this preliminary scene of preparation in the neighboring vallies.—*Newark Adv.*

The morning of Friday opened with an almost cloudless sky. Just before sun-rise, to an observer upon the brow of the hills which wall the valley on the west, there might be seen proudly sweeping through the waters of the new canal, a train of boats whose decks were surmounted with uniformed soldiers and streaming banners. Bands of music made vocal the valley around. A salute of artillery noted their passage through Cuyler, and they moved on to Mount Morris, where provision had been made to breakfast the numerous soldiers and visitors from Rochester. After a repast which a long night of travel, not less than the hospitality of the citizens had made grateful, the boats took their departure for the grounds which had become memorable as the scene of savage cruelty. Crowds by hundreds and thousands, and constantly increasing, welcomed their arrival. At two o'clock the military and committees moved to the mound about a half mile distant, to meet the delegation from the eastern side of the valley. Here the bones of Boyd and Parker and those of their associates, were committed to the sarcophagus prepared for the occasion, and the two processions returned to the Grove, near the residences of Col. Cuyler. A stage had been erected for the committees, speaker and old Revolutionary soldiers. Seats for the accommodation of about a thousand were appropriated to the ladies. To describe the exercises from this point would require more room than I can command. The Urn was placed immediately before the stage. Around were soldiers and citizens to a number which has been variously estimated, including all at the village, from five to fifteen thousand. If there were five thousand about the wharves in Albany at the time the Bridge fell last fall, I think there may have been between seven and eight thousand here. Mr. Treat, of Genesee, a young man of distinguished talents and attainments, had been requested to make an address on the part of Livingston county. The duty was discharged in a manner highly creditable to himself and to the approbation of the immense assemblage who heard him. He opened with an eloquent and impressive exordium,—then followed with a detailed history of the border warfare, more particularly connected with the movements of Sullivan, and most happily introduced the life of the heroes whose memory these exercises were intended to preserve. He concluded with an address to Major Van Campen and the soldiers who honored the day and occasion with their presence. The address will doubtless be published.

It had been determined that the ceremony of delivering the bones to the Rochester committee should be performed

by the old veteran, who sixty-two years since, buried his school friend. The Major arose without faltering, and, though eighty-five years old, read in a distinct voice, audible to all within thirty or forty feet, notwithstanding the tumult, a paper that blazed with patriotism and noble sentiment. As he turned his eye to the dark enclosure of the bones of his comrades and briefly poured forth his tribute of regard for bravery and worth, many an eye rolled free in its moistened socket, and many a heart leaped at this testimony of any early friend. A reply from the Rochester committee, upon the reception of the bones, followed.

The concluding and crowning exercise in the Grove, was that of changing the names of the streams at whose junction the mound has been thrown up. The main stream has long been known as Beard's Creek. It was changed by acclamation, at the suggestion of Mr. O'Reilly, to Boyd's Creek, and the other to Parker's.

The assemblage then turned to the boats, where discharges of artillery closed the scene. To-day the bones are to be buried at Mount Hope.

**The Burial Ceremonies.**

A letter in the Tribune gives the following graphic sketch of the final ceremonies at Rochester:

*Rochester, August 22, 1841.*

I had yesterday the good fortune of witnessing the interment of the bones of the brave Lieut. Boyd and his companions in arms, and a most interesting and imposing scene it was. At daylight, the Mayor, Common Council, and Military companies of this city returned from Livingston county, where, I am informed, they were received by ten thousand people in the most enthusiastic manner, and where the remains were delivered to them by a Revolutionary soldier, Mr. Campen, who fought under Sullivan. The vast multitudes that thronged our streets during the morning, manifested the deep interest taken in the ceremonies, and the feeling of gratitude entertained toward those who fought the battles that established our freedom. Here and there the aged and the young might be seen assembled in groups, talking over the early history of the Genesee Valley, and especially the events of Sullivan's famous expedition, the last ever sent against the Indians of the State of New York.

At ten o'clock the procession moved forward, headed by the military of this city and the Staff of the Governor, (the Governor himself not having yet arrived, and proceeded to Mount Hope. Before the procession arrived, thousands had already assembled at Mount Hope. The urn and sarcophagus containing the remains were placed on one of the most beautiful eminences in the Cemetery, which is hereafter to be called the "Hill of Revolutionary Patriots," and on which a monument is soon to be erected. The Rev. Mr. Tucker read the grand funeral service of the Episcopal Church.

At the close of the service, Governor Seward was introduced by the Vice Chancellor Whittlesey. The Governor addressed the multitude for about half an hour in a happy and impressive manner. He alluded eloquently to the trials and sufferings endured by Sullivan and his brave followers, and to the deeds of high valor which they performed. He vividly depicted the changes that three generations have produced, and thrillingly did he appeal to the patriotism of the American people, earnestly entreating them to admire and imitate the noble examples of valor and virtue presented to them in the history of their country.

The whole scene was impressive, and well calculated to call up long trains of pleasing thought. We stood in one of the most beautiful Cemeteries in the United States, in sight of a city containing more than twenty thousand inhabitants, addressed by the Governor of millions of Freemen, and witnessing the interment of the bones of a brave young officer, who, sixty years before, beyond the verge of civilization, was most cruelly butchered in the broad valley that lay before us. Could Boyd have peered through the mist, and seen the future greatness of his country—the salutary results produced by his own valor and that of his associates, and the high respect paid them three generations afterward, he might well have exulted even when enduring the tortures of the savages. Yours, C.

Repeal of the Independent Treasury Law.

An Act to repeal the act entitled “ An Act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue,” and to provide for the punishment of embezzlers of public money, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act entitled “ An Act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue,” approved on the fourth day of July, A. D. one thousand eight hundred and forty, be, and the same is hereby repealed: *Provided, always,* That for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; anything herein contained to the contrary notwithstanding.

Sec. 2. And be it further enacted, That if any officer charged with the safe-keeping, transfer, or disbursement of public moneys, or connected with the Post-Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safe-keeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over on demand any public moneys in his hands, upon the presentation of a draft, order or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly according to law on the legal requirement of a superior officer, shall be prima facie evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or agent of the United States, and all persons advising, or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

Sec. 3. And be it further enacted, That the act entitled “ An Act to regulate the deposits of the public money,” approved on the twenty-third day of June, eighteen hundred and thirty-six, excepting the thirteenth and fourteenth sections thereof, be and the same is, hereby repealed.

Sec. 4. And be it further enacted, That so much of an act passed the fourteenth of April, eighteen hundred and thirty-six, entitled “ An Act making appropriations for the payment of the Revolutionary and other pensioners of the United States, for the year eighteen hundred and thirty-six,” as provides that no bank note of less denomination than ten dollars, and after the third day of March, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars, shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post-Office Department, be, and the same hereby is, repealed.

JOHN WHITE,  
Speaker of the House of Representatives.  
SAM'L L. SOUTHARD,  
President of the Senate pro tempore.  
Approved, August 13, 1841. JOHN TYLER.

Kentucky Manufactures.

The Maysville Eagle states that the extensive bagging factory of C. Shultz & Co. of that city, manufactured during the last week thirteen thousand nine hundred and thirty-eight yards of bagging, and fourteen thousand pounds of bale rope. The Eagle doubts whether any establishment in the land has ever turned out, in any one week, so large a quantity of these articles.

Yankee Presence of Mind.

During the war of the revolution, in the year 1778, it was common for ship-owners of Boston and other American ports, to send cargoes to Christiansand, a neutral port on the southern coast of Norway, by which a considerable profit was realized, whenever the vessel succeeded in escaping the British armed ships. A mercantile firm, well known at the time, and probably to some of the venerable remnants of that time, even now, sent to that port a fast sailing brig, the F——, commanded by Capt. S——, a shrewd, “ calculating” Yankee, who was famous for his “ judgment,” on critical occasions. The brig got in sight of her destined port, without meeting with any difficulty, but when thus far, to the dismay of all but our Captain, between the F—— and the coast, was seen anchored, a British frigate—not in the harbor of Christiansand, but a little farther up the coast.— From off the coast, near Bergen, or thereabouts, was a privateer coming towards him; another was hovering on the quarter; and another in the offing seemed to be running directly for him. All on board were in great trepidation, and expecting nothing less than a British prison; but Capt. S—— seemed as much at ease as ever—walking the quarter deck briskly, but saying a word to no one. He still kept the vessel on her course straight toward the frigate and the port.— Soon after turning about, he called for the British ensign, which he forthwith caused to be hoisted at the peak. The frigate, not suspecting any ruse, suffered him to pass without query; and immediately getting under way, stood out towards the brig in the offing, and was soon after followed by the privateer which was nearest the coast, thus permitting our Yankee to enter the port without trouble, discharge his cargo, and procure another, after which he returned in safety to Boston, making an excellent voyage.

[Boston Mer. Jour.

Saybrook, July 9th 1841.

On looking over some papers of my father, Mr. H. Pratt, I find a memorandum of his expenses from Saybrook to New York, on horseback, to purchase goods, Dec. 7th, 1775, as follows :

	s.	d.
From Saybrook to Killingsworth.		4
Guilford, night.....	2	6
Dec. 8—N. Haven Ferry .....		6
W. Haven.....	1	4
Milford.....	1	1
Stratford, Ferry.....		4
Stratford, night.....	2	9
Dec. 9—Fairfield .....	1	3
Norwalk .....		5
Stamford .....		9
Horseneck.....	2	
Hunts.....	1	4
Kingsbridge .....	1	6½
	16	11½

[N. Y. Jour. of Com.

Sub-Marine Panoply of Capt. Taylor.

The Gunner of our Navy Yard, yesterday, put on the sub-marine panoply of Capt. Taylor, and descended by the side of the steam frigate under the water. He reached the bottom, where he wandered about till the spectators, anxious to see him, or the results of his discoveries, demanded his re-appearance; accordingly, he came up, quite delighted with his excursion. He was supplied with fresh air by means of a forcing pump and a long tube of gum elastic. He could have remained under the water, as he says, for a week, provided some one could have provided him with crackers and cheese. The apparatus is going on board the U. S. Ship Delaware, where its utility may perhaps be tested during her cruise.—N. American of Aug. 31.

Quarterly averages of the Bank of England,

The following is part of a review of the Report of a Committee of the House of Commons, on banks of issue that omit the review of the evidence, confining ourselves entirely to that which relates to the operations of the Bank of

In 1835, a loan of fifteen millions was negotiated, the proceeds of which were to be paid to the claimants as their claimants were paid. The effect of this was to leave the money market in precisely the same situation as if no loan had there were no real ones, and we have therefore deducted the quarterly average amount from both sides of the account—ration of the institution.

Quarter ending	1. Banking capital and circulation.	2. Permanent private deposits.	3. Permanent public deposits.	4. Total permanent means.	5. Securities.	6. Excess of securities over permanent means.
1832.						
April 3 .....	21,098,000	....	2,500,000	23,598,000	24,246,000	648,000
July 3 .....	20,365,000	....	2,500,000	22,865,000	23,557,000	692,000
October 1 .....	20,517,000	....	2,500,000	23,017,000	23,966,000	949,000
1833.						
January 1 .....	20,442,000	....	2,500,000	22,922,000	22,820,000	....
April 2 .....	21,573,000	....	2,500,000	24,073,000	24,289,000	216,000
July 2 .....	21,464,000	....	2,500,000	23,964,000	22,838,000	....
October 1 .....	22,091,000	....	2,500,000	24,591,000	24,244,000	....
December 31 .....	20,423,000	500,000	2,500,000	23,423,000	23,576,000	153,000
1834.						
April 1 .....	21,398,000	1,166,000	2,500,000	25,064,000	25,970,000	906,000
July 1 .....	21,154,000	2,166,000	2,500,000	25,820,000	27,593,000	1,773,000
September 30 .....	21,638,000	1,333,000	2,500,000	25,471,000	28,649,000	3,178,000
December 30 .....	20,603,000	1,333,000	2,500,000	24,436,000	26,179,000	1,743,000
1835.						
March 31 .....	21,179,000	1,500,000	2,500,000	25,179,000	26,406,000	1,227,000
June 30 .....	20,944,000	1,900,000	2,500,000	25,344,000	25,678,000	334,000
September 29.....	20,926,000	1,800,000	2,500,000	25,226,000	25,708,000	482,000
December 29.....	19,812,000	2,200,000	2,500,000	24,512,000	24,360,000	....
1836.						
March 29 .....	20,874,000	2,300,000	2,500,000	25,679,000	24,503,000	....
June 28.....	20,704,000	3,367,000	2,500,000	26,571,000	26,852,000	281,000
September 27.....	21,002,000	3,966,000	2,500,000	27,468,000	29,296,000	1,828,000
December 29 .....	20,156,000	4,100,000	2,500,000	26,756,000	29,668,000	2,912,000
1837.						
March 28 .....	21,627,000	1,900,000	2,500,000	26,027,000	29,315,000	3,288,000
June 27.....	21,260,000	933,000	2,500,000	24,693,000	26,932,000	2,239,000
September 26 .....	21,877,000	900,000	2,500,000	25,277,000	26,461,000	1,184,000
December 26 .....	20,538,000	1,166,000	2,000,000	24,204,000	22,406,000	....
1838.						
March 27 .....	21,474,000	233,000	2,500,000	24,207,000	22,865,000	....
June 26.....	21,649,000	....	2,500,000	24,149,000	22,354,000	....
September 25.....	22,488,000	....	2,500,000	24,988,000	22,793,000	....
December 24 .....	20,874,000	....	2,500,000	23,374,000	20,910,000	....
1839.						
March 26 .....	21,010,000	....	2,500,000	23,510,000	23,006,000	....
June 25.....	20,710,000	....	2,500,000	23,210,000	23,934,000	724,000
September 24 .....	20,955,000	....	2,500,000	23,455,000	25,860,000	2,405,000
December 31 .....	19,369,000	....	2,500,000	21,869,000	22,514,000	645,000
Average .....	21,005,000	1,024,000	2,500,000	24,529,000	24,992,000	869,000

Amount of securities, No. 5.....	24,992,000
Permanent means, No. 4 .....	24,529,000
Excess of Securities, No. 6 .....	869,000
	25,392,000
Excess of Means, No. 7 .....	406,000
	24,992,000

from 1832 to 1839, both inclusive.

appeared some time since in the National Gazette. Owing to the great length of the paper, we have been compelled to England.

claims were adjusted. The bank received the money and invested it as received, selling out its securities again as the been made. The insertion of so large a sum in the accounts of 1835 and 1836, would make *apparent* differences when from the deposits and the securities. With this exception the following table presents a complete view of all the ope-

Quarter ending	7. Excess of per- manent means over securities.	8. Bullion.	9. Temporary private de- posits.	10. Temporary public de- posits.	11. Total of temporary means.	12. Total circula- tion of Great Britain and Ireland.
1832.						
April 3 .....	....	5,354,000	5,961,000	41,000	6,002,000	....
July 3 .....	....	5,780,000	5,910,000	562,000	6,472,000	....
October 1 .....	....	7,404,000	7,124,000	1,229,000	8,353,000	....
1833.						
January 1.....	102,000	8,983,000	7,296,000	1,589,000	8,885,000	....
April 2 .....	....	10,068,000	7,950,000	2,334,000	10,284,000	....
July 2.....	1,126,000	10,673,000	8,226,000	1,421,000	9,647,000	....
October 1 .....	347,000	10,905,000	8,574,000	1,984,000	10,558,000	....
December 31 .....	....	9,948,000	7,727,000	2,374,000	10,101,000	37,102,000
1834.						
April 1 .....	....	9,431,000	7,652,000	2,685,000	10,337,000	37,754,000
July 1 .....	....	8,659,000	6,211,000	4,121,000	10,332,000	37,548,000
September 30.....	....	7,543,000	5,518,000	5,203,000	10,721,000	36,988,000
December 30 .....	....	6,726,000	5,643,000	2,726,000	8,369,000	37,468,000
1835.						
March 31 .....	....	6,378,000	5,489,000	2,116,000	7,605,000	37,422,000
June 30 .....	....	6,219,000	5,019,000	1,541,000	6,553,000	37,507,000
September 29 .....	....	6,235,000	5,139,000	1,578,000	6,717,000	36,425,000
December 29 .....	152,000	6,841,000	4,630,000	2,059,000	6,689,000	37,041,000
1836.						
March 29 .....	1,176,000	7,789,000	5,212,000	1,401,000	6,613,000	38,019,000
June 28.....	....	7,362,000	5,553,000	2,093,000	7,643,000	38,821,000
September 27.....	....	5,591,000	4,684,000	2,635,000	7,319,000	37,901,000
December 29 .....	....	4,414,000	4,826,000	2,500,000	7,326,000	38,185,000
1837.						
March 28 .....	....	4,058,000	5,253,000	2,093,000	7,346,000	37,709,000
June 27.....	....	4,750,000	6,014,000	975,000	6,989,000	36,934,000
September 26 .....	....	6,451,000	6,582,000	1,053,000	7,635,000	36,396,000
December 26 .....	1,798,000	8,535,000	5,596,000	1,141,000	6,738,000	37,311,000
1838.						
March 27 .....	1,342,000	10,125,000	7,503,000	1,280,000	8,783,000	38,247,000
June 26.....	1,795,000	9,727,000	7,432,000	500,000	7,932,000	39,145,000
September 25.....	2,195,000	9,573,000	6,687,000	691,000	7,378,000	38,247,000
December 24 .....	2,464,000	9,390,000	6,130,000	796,000	6,926,000	40,105,000
1839.						
March 26.....	504,000	7,328,000	5,406,000	1,418,000	6,824,000	39,940,000
June 25.....	....	4,344,000	4,678,000	390,000	5,068,000	39,517,000
September 24 .....	....	2,727,000	4,494,000	638,000	5,132,000	37,128,000
December 31 .....	....	3,244,000	3,507,000	382,000	3,889,000	37,100,000
Average .....	406,000	7,264,000	6,051,000	1,676,000	7,727,000	37,838,000

Excess of securities, No. 6..... 869,000

Excess of means, No. 7..... 406,000

463,000

Bullion, No. 8 .....7,264,000

Amount of temporary means .....7,727,000

Temporary deposits, No. 9.....6,051,000

“ “ No. 10.....1,676,000

Total.....7,727,000

Column No. 1, contains a view of the quarterly average amount of *banking* capital and circulation. The original capital was lent to the government, and the institution uses in its banking operations only its "surplus," in the returns usually styled "rest," which in the course of this period varied from about 2½ to three millions. The circulation varied from £19,665,000 to £16,732,000. An examination of this column will show how nearly constant is the amount of these two items. The average is £21,005,000, and the greatest excess is £1,483,000, or about seven per cent., while the variation in the opposite direction is between seven and eight per cent. Even these variations would not have taken place but for rapid changes in the general conduct of the operations of the bank. The amount was lowest in December last, when the institution, in consequence of an extraordinary expansion of its loans during the preceding summer, was in extreme difficulty, and was compelled to have recourse to every means in its power to save itself from stopping payment. If we omit this quarter the lowest is £19,812,000, or little more than five per cent. below the general average. Had the operations of the institution been more steady, it is highly probable that the whole variation of the period would not have amounted to a single million. With all its unsteadiness, *during twenty-four quarters*, the sum exceeded, or fell short of the average less than £600,000.

By a comparison of the amounts in this column with those in No. 6, it will be seen how slight is the tendency in the circulation to increase, or decrease, with increase, or decrease in the loans of the bank. In September, 1834, when the latter were very great, the former exceeded by only £174,000 the amount that existed in July 1833, when they were very small. From March to September 1836, the increase of loans was great while the circulation increased only £128,000. Violent changes of policy tend to produce temporary changes in the amount required, while a steady policy would show the circulation almost a constant quantity. Even with all the extraordinary variations that are here shown in the amount of loans, the whole difference was but three millions, a sum too small to produce any material effect upon the community.

No. 2, gives the account of a loan to the Bank from the East India company. The latter had at their command a considerable amount of capital for which they could have no use for a long time, and it was deemed better to place it with the bank on interest, than to loan it out themselves. It was a deposit not subject to recall at the pleasure of the owners, and the former, by employing it, produced no more effect upon the money market than would have been produced had the latter themselves used it. Had it not been invested in securities, it must have been retained in the form of bullion, and the withdrawal of so large an amount would have created a disturbance, which was prevented by the course that was pursued. It is not strictly accurate to include such fund among the *permanent* means of the bank, but a deposit for a period of years is so entirely under the control of the institution that it may be used with almost the same freedom as if it constituted a portion of the capital.

No. 3, contains that portion of the public deposits that may be deemed *permanent*, and which may be used by the bank with entire confidence that the owner will not have occasion to demand it.

No. 4, gives the sum of the previous columns, which may be termed the permanent means of the bank. The average is shown to have been £24,259,000. Excluding the East India loan, the total variation is the same as that shown in column No. 1, much of which is due to violent changes resulting from the use of the temporary means of the institution. It will readily be seen that if the loans had been limited to the amounts here given, *no alteration would ever have taken place but that which was produced by the community itself*. If the activity of trade required an occasional increase of circulation, the securities would rise therewith, and *vice versa*. Under such a system we deem it highly doubtful if the amount would ever have exceeded or fallen short of the average more than half a million of pounds.

No. 5, contains the amount of securities actually held, the average of which exceeds only £463,000 the average of

permanent means. It thus appears that the gain to the institution by overtrading has been so nearly absorbed by a corresponding necessity at other times, for trading below its permanent means, that the gross amount of gain is only the interest upon £463,000, or less than £20,000 per annum. Against this are to be put the losses that have been produced by violent changes in the value of the property of its debtors, which, without doubt, must equal, if they do not exceed, that amount. We deem it absolutely certain, that the *profits of the bank would have been greater under a steady system than they have been under that which has been pursued*, while those of the community would have been far greater, producing a constantly increasing tendency to the application of talent and capital in aid of production, and enabling the bank to obtain a steady rate of interest somewhat higher than that resulting from making loans sometimes at three, and at others at six per cent., the average of which has been a shade below four per cent.

Nos. 6 and 7, show the changes of policy that have occurred. An examination of them cannot fail to satisfy the reader of the causes of the great variations in the value of property that we have recently seen. The year 1832 was a year of excitement, produced by overaction on the part of the Bank, which was compelled to call in the bullion it had parted with. Prices fell, and many were ruined. Confidence was impaired, and the bank found it difficult to employ the permanent means at its command. In the following year trade revived, and in 1834 we find the bank stimulating it by issuing three millions of bullion it had collected. Here was a change in fifteen months of £4,300,000. The rise of prices produced an influx of commodities and of public securities,\* and it became necessary to recall the bullion that had been issued. In March 1836 we find the securities £1,176,000 *below* the permanent means, being a change in eighteen months, of £4,300,000. The bullion thus recalled remained but a short time with the bank, for we find it in March, 1837, holding securities *exceeding* the permanent means by about three millions, the currency having been expanded by the issues of that amount of bullion, to be exchanged for foreign stock, the prices of which advanced materially.† Here was a change of £4,300,000 in a single year. Again was resumed the process of collecting bullion, and in December, 1838, we find its securities nearly two and a half millions *below* its permanent means. Having, with infinite difficulty, increased its treasury to above nine millions, the next operation was to issue it out in purchase of securities, and in September, 1839, we find it with loans *exceeding* its permanent means by £2,400,000, thus making a change in nine months of nearly five millions. The natural effect was, a rise in the prices of stocks, and an influx of American securities.‡

Now again it began to collect bullion, and at the risk of ruin to a large portion of the commercial community, it forced down its excess of securities to £645,000. Thus for eight years has it been employed in collecting and dispersing bullion. At one moment every effort has been made to accumulate it, and at the next it has been issued for the purchase of every description of security; the consequence of which has been a constant transition from the lowest state of depression to the wildest excitement. Prices have risen as bullion has been issued, and they have fallen as it has been recalled. No man has, for any length of time, had any certainty of the value of his property.

Column 8, gives the variations in the amount of bullion held by the bank, and No. 11 the amount that would have

\* "From November, 1834, to March, 1835, there was an enormous speculation in the prices of South American stocks, which caused an advance to a great extent, and brought a large import of foreign stock from all parts of the continent." Mr. J. H. Palmer, Report, p. 106.

† "The loss of bullion by the bank between the first of April and first of September, 1836, I believe to have been occasioned by the excess in the American securities." Ibid. Report, p. 115.

‡ Ibid. p. 119.



been held, had it limited its investments to the amount of its permanent means, leaving its temporary means in the form of bullion, increasing or decreasing in amount, as its customers thought fit to deposit, or to recal it. *The whole business of the institution would then have been regulated by the community, it being a perfect automatic machine.* While the amount of its securities was regulated by the quantity of circulation in use, the amount of its bullion would have been determined by its deposits, and they, like the circulation would have been nearly a constant quantity, fluctuating perhaps between five and seven millions, instead of rising to eleven and falling to two.

We will now briefly show the working of the proposed system. Let us suppose that on a given day the bank has a circulation of twenty millions, for which she holds securities, and deposits to the amount of ten millions, for which she has bullion—that in the course of the following week she has returned to her, notes to the amount of £200,000, to be placed to the credit of depositors,—and that in the next £200,000 are withdrawn in bullion for exportation. The following is the state of affairs at the two latter periods.

	Circulation.	Securities.	Deposits.	Bullion.
1st...	19,800,000.	20,000,000.	10,200,000.	10,000,000
2d...	19,800,000.	20,000,000.	10,000,000.	9,800,000

The fact of the return of any part of the circulation is evidence of the existence of an excess in that proportion of the currency, requiring correction, which correction is now being made by the public. Its conversion subsequently into gold for exportation is evidence of the existence of an excess in the currency generally. To re-issue the notes thus returned would be to re-produce the excess, and with it a necessity for farther correction. As fast as issued they would be brought back and gold would be demanded for them, the public thus enforcing the remedy just as steadily as the bank directors were producing the disease. If the latter persisted for any length of time, they would find themselves drained of bullion, in consequence of a constant effort to compel the public to keep on hand a larger amount of notes than they wanted, *precisely as they have been on recent occasions.*

The remedy for an excess of currency is a reduction of the amount. Had the directors at the close of the first of the two weeks above given, sold £200,000 of their securities, they would thereby have absorbed £200,000 of the unemployed capital remaining on deposit, and re-established the equilibrium, thus preventing any necessity for the exportation of capital in quest of employment. The account would then have stood thus,—

19,800,000	19,800,000	10,000,000	10,000,000
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If, on the other hand, deposits were converted into circulation, it would be evidence of a slight deficiency of the latter, and the bank might, with propriety, exchange an equal amount of its gold for securities.

Under such a system there would have been no revulsions to alarm the prudent and drive them from trade. On the contrary, steady action and profitable business would have tended to increase the number of persons among whom to select its customers, to increase the permanent value of capital, and to increase the dividends of the stockholders. While the proprietors of the bank were thus benefited, the people of England would have been enabled to avoid losses, to the extent probably of fifty millions of pounds, resulting from the violent revulsions in the United States, Canada, South America, India, and in almost every other part of the world, produced by the extraordinary unsteadiness that has been displayed. The directors on their part would have avoided the anxiety resulting from the existence of large liabilities accompanied by small means; and they would have been spared the humiliation of seeking aid from the Continent. All would have been benefited.

It is usual to attribute the difficulties of the institution to a necessity for importing corn, but a moment's examination of the above table will satisfy the reader that if it retained in its possession, in bullion, all that portion of its means that could be considered temporary, it would be entirely unimportant whether the owners thereof withdrew it, or left it in

its vaults. If corn were needed, the owners of bullion would exchange their commodity for the one they wanted, and the bank would have no occasion to know that any such transaction had taken place. Perfect steadiness in the currency is perfectly consistent with variations in the crops. They have no necessary connexion with each other.

It may be asked why the use of the money of individual depositors can be more calculated to produce unsteadiness than that of the East India loan above referred to. The answer is that the East India Company *could not use its own capital*, and therefore placed it in the hands of the bank until the time should arrive when it could do so; whereas individual depositors never willingly permit their capital to lie unproductive, and are always seeking the means of investing it. The man who has £1000 in his desk and is seeking to employ it, produces a certain effect upon the market; but if, while thus engaged, he places it for safe keeping with a man who uses it, a double effect is produced. His £1000 is invested while he is in the market seeking for an opportunity to make it yield him interest. Prices rise in consequence of this double action.

In regard to the public deposits, we have had abundant evidence of the injury that may result from permitting them to be employed to an unlimited extent. The excess of receipts in 1835 and 1836 was chiefly at New York, and at the land offices of the west. As fast as it was accumulated at the first it was lent out to the merchants to enable them to extend their importations, and thus increase the surplus revenue. In the west, it was lent to land speculators who paid it to the Government on one day, and on the next borrowed it from the bank to buy more land. The Government parted with its land for which it held the engagement of a deposit bank, and the latter held the note of the land-jobber. In the same way, the surplus of the British revenue being lent out to the merchants of Liverpool and London must have the tendency to stimulate importations and increase the surplus to be lent out by the bank.

England is the great market for gold and silver of the world, and there is, consequently towards it a constant stream of those commodities. They are arrested on their way from the place of production to that of consumption, and pass from hand to hand for a short time, but their tendency to the crucible of the goldsmith is constant, and their termination there inevitable. That country is to the monetary world what the ocean is to the physical, and the tendency of water to the latter is not greater nor more steady than would be that of bullion to England, were the level preserved as steadily. The slightest excess of water in any quarter is marked by an increase of that tendency—while with a diminution in the supply its movements become more sluggish. Were the ocean to change its level 40, 50, or 100 feet at a time as does the currency of England, we should then not only see the usual flow arrested, but a contrary current would be established, producing ruin in all parts of the earth. Precisely such is the effect produced by England when she compels the export of bullion to the countries which produce gold and silver—a trade as unnatural as would be the export of cotton to the United States, or of tea to China.

It may be said that even were the bank regular in her operations, she could not control the movements of the other Banks. Such is not the case. She has been unable to regulate them in time past, because, from her own irregularity of action, she has been unable even to control her own movements. With *perfect steadiness* on her part, every change in every part of the kingdom would be as readily observed as are variations in the temperature, by the nicest thermometer. Column 12 gives a view of the total circulation of the United kingdom, for 25 quarterly periods, the average of which has been £37,838,000. Eighteen of these averages show a variation, upwards or downwards, of less than £750,000. The greatest excess is £2,267,000, and the greatest variation in the contrary direction is £1,434,000. If allowance be made for the increase of population, and the gradual extension of trade and of banks throughout Ireland, the excess will be reduced to a million and a half, showing a variation, from the highest to the lowest point, of three millions, or about eight per cent. Much of this has been pro-

duced by the violent changes in the action of the bank, and would not have occurred under a different system, but if we even admit that equal variations would have occurred, the amount is too trifling to be worthy of much consideration, although it is highly desirable to have perfect steadiness.

We now close this review, trusting that our readers will be satisfied that it is possible to establish a system of such perfectly steady action that the movements of the world may be measured by it. We approve of perfect freedom of action, but as it is highly unlikely that the Bank of England will be divested of the monopoly that she enjoys, we have desired to show that she may exercise her privileges in a manner that will prevent all further injury, and that not only without loss to her stockholders, but with positive advantage to them. What is true of her is equally true on this side of the Atlantic. Our banks have been led away by the idea of privileges, for which they have paid, and which they have desired to use, and the consequence has been that the dividends have been less than they would have been under a system of perfect freedom of competition. All the banks of this State have divided, for a quarter of a century, *less than 6 1-10 per cent.* The average of the dividends of Massachusetts and Rhode Island, where freedom has been almost perfect, has been nearer the value of money in those States than it has been in our own. Over-trading produces a necessity for under-trading and not only is the excess of gain lost, but there is accumulated a mass of bad debts tending to deprive the stockholders of dividends altogether for a time, as we have so recently seen. The receiver of eight per cent. in one year has nothing in the next, and is obliged to congratulate himself if his capital, though unprofitable, is yet whole.

What is to be the system of this country for the management of the public revenues is a question now to be settled. It may be by a National Bank—an association of State Banks, or a single State bank. In any case, those who find themselves charged with the organization of the system may benefit by a careful examination of the working of that of England, and thus the view thereof which we now submit may become useful. If great powers are to be granted, —if a regulator is to be established,—it is essential that it should be subjected to such laws as would render its own action perfectly uniform, and thus enable it to detect and correct irregularity elsewhere. *The greatest of regulators, is, however, perfect freedom of trade, securing unlimited competition.*

#### The Money Market.

Bicknell's Reporter of the 31st ult. says:—"The ease in the money market which we have chronicled from week to week, for the last two or three months, still continues in Philadelphia. We have made some inquiries within the last few days and learn from one or two of our most extensive brokers, that this condition of things is attributed rather to the limited demand, than to any extraordinary superabundance of means. Their opinion is, that any new and certain channel of investment, or any particular activity in trade, would immediately make money more sought after, and in the course of a very short time, produce some degree of contraction. Stocks were never more depressed in Philadelphia than during the week which has just gone by. One or two days, United States Bank sold as low as 9¼ a 10. This, for \$100 paid — and in some cases for \$120; and on a capital of \$35,000,000, shows at a glance, what immense sums must have been sacrificed, in this single institution, at home and abroad. Philadelphia has no doubt suffered to the extent of several millions. But almost every description of stock seems to be more or less affected. Philadelphia Bank, the par price of which is \$100 has been selling for some time past, at from \$75 to \$78, and this is believed to be one of our best conducted institutions. The Girard Bank, which we all remember was in demand something like two years ago at \$60, now sells at \$28 and \$29. The Vicksburg Bank, sold a day or two ago as low as \$1½ per share, or lower than at any other point in its history. But a few years have gone by, since it was in demand at more than \$100. The Schuylkill Navigation shares now sell at \$46 and \$47. Two years

since, the price was \$150. But even our State stocks, which some of our contemporaries contend are in every respect unquestionable, sell now 20 per cent. lower than they did in 1839. Thus Pennsylvania fives, redeemable in 1850, and which but a brief period since were in demand at a premium, can now be obtained at \$80 per share. These are lamentable facts, and speak trumpet tongued as to the vicissitudes in the stock market, and the millions that must have been lost by those whose property was invested in such unsubstantial products.

A calculation showing the relative value of the stocks held in Pennsylvania now and three years ago, would be an interesting document. The wisest and best of our citizens have been deceived. It will be seen that we have mentioned *only a portion* of the stocks that have been bought and sold so freely in our market within the last few years. The picture it presents is frightful indeed. It will be seen that out of a capital of little more than *sixty-two* millions of dollars, there is an aggregate loss of nearly fifty-seven millions!!!

#### Stock speculation illustrated by a few facts.

Banks.	Capital,	Par value.	Value, Aug. 14, 1838.	Value, Aug. 27, 1841.	Depreciation.
United States.....	35,000,000	100	123	10	39,500,000
North America...	1,000,000	400	408	300	270,000
Pennsylvania.....	2,500,000	400	509	260	1,500,000
Philadelphia.....	1,800,000	100	108	75	594,000
Farmers' & Mech's	1,250,000	50	62	45	425,000
Commercial.....	1,000,000	50	63	44	380,000
Mechanics'.....	1,400,000	35	54	26	1,120,000
Northern Liberties	350,000	35	48	20	180,000
Schuylkill.....	1,000,000	50	50	5	900,000
Southwark.....	250,000	50	60	45	75,000
Kensington.....	250,000	50	75	40	175,000
Penn Township..	500,000	50	75	40	350,000
Girard.....	5,000,000	50	53	28	2,500,000
Western.....	500,000	50	53½	30	235,000
Manufac. & Mech.	401,300	50	55	35	160,520
Moyamensing....	250,000	50	55	38	85,000
Schuylkill Nav. co.	1,666,000	50	166	46	3,998,000
Schuylkill Loans..	2,200,000	100	95	70	550,000
Lehigh Coal co. .	1,500,000	50	90	15	1,950,000
Lehigh Loans....	4,400,000	100	100	60	1,760,000
	62,217,300				56,757,920

#### A River on Fire.

It can no longer be doubted that the Alabamians are waking up, as it will appear by the following article, that they have succeeded in setting their principal river on fire:

*The Tombigbee river on fire.*—While Mr. J. M. Cooper was prosecuting the removal of McGrew's Shoals, after boring to the depth of 375 feet his auger suddenly dropped and entirely disappeared. In the space of some several moments a deep hollow sound was heard, resembling the rumbling noise of distant thunder from the chasm below, and at the same instant gushed forth from the shaft thus made, a clear transparent, oleaginous substance or liquid, which boils up very similar to the effervescence of a boiling pot; and which, owing to the sluggishness of the current, has gradually diffused itself over the whole surface of the river. A quantity has been collected, and upon application of fire, it is found to burn equal to the present sperm oil.

To gratify curiosity and make farther tests, fire has been applied to the oil on the water, and the whole surface of the river is now burning, emitting a flame of the most beautiful appearance, about 6 inches high, and has already extended about half way down to Fort Stoddard; the reflection of which upon the horizon at night, presents a most sublime spectacle, far surpassing in grandeur and beauty of appearance the aurora borealis.—*Mobile Journal.*

**Review of the Weather, etc., for August, 1841.**

While many parts of our country have been parched by drought, during the month just closed, this city and vicinity have been blest with seasonable and refreshing rains during the whole season, so that at no period, has vegetation suffered. In referring to our record of the quantity of rain which has fallen here, we find we have had, during the eight months of the year which have elapsed, more than the average quantity which generally falls during a whole year. The quantity which has fallen since the first of January last, being forty-one and a quarter inches. Forty inches being about a yearly average.

It rained more or less during the month just closed, on eleven different days; and the quantity which fell, was a fraction over nine inches. That which fell during the corresponding month of last year, was five and a half inches.

The temperature of the month was very moderate. The medium or average was 71 degrees, viz: at sunrise, 66; at 2 o'clock, 80; and at 10 P. M., 71. In no instance did the mercury rise above 87 in the shade, in the open air, where it received no improper influence from the rays of the sun. The medium temperature of the corresponding month of last year, was 74. The three summer months which have just closed, were in the aggregate, healthy, pleasant and delightful, in this city and vicinity.

During the thunder storm of the 21st, two houses were struck by lightning in this city, but not materially injured. On the same evening, two barns were burnt in Bucks county, and another in Chester county, all full of hay and grain. The Revenue Cutter Gallatin, at Cape May, was also struck, and her mast shivered. On the same evening, several houses were struck in New York city; and a Brooklyn paper says, the effect of the electric fluid was experienced almost all over Long Island, by entering buildings, &c.; and cattle grazing in the fields, were thrown violently down, apparently lifeless, but resuscitated in a short time uninjured.

About the middle of the month, a tremendous rain storm was experienced in South Carolina and Georgia, which carried away many bridges, did great injury to the cotton crop, &c.

It is worthy of particular remark, that the medium or average temperature of the months of July, 1839, '40, and '41, were exactly the same, viz:—74. The thermometer from which the state of the mercury was recorded, having hung in the same place for fourteen years, and regularly marked down at sunrise, and at 2 and 10 o'clock, P. M.—The summer of 1838, being uncommonly warm, the average of said month was 78.

The latest accounts from Pittsburg say, that copious rains have caused such a rise of water in the Ohio river, that it has become in good navigable order.

Previous to the 20th of August, the drought in New York State, above Albany and Troy, was very great; but the late copious rains have so revived vegetation, that there is a fair prospect of a good crop of potatoes, but corn will be very short. A like drought was experienced in a part of this State, particularly in Dauphin and the adjacent counties.

It is said that there will be an abundant crop of potatoes in Connecticut, and a part of Massachusetts; but owing to the great drought in New Hampshire and Maine, the crop will be small, and that Indian corn will be very short.

The late news of short crops of wheat in England, has caused a further advance of wheat and flour in this country.

A Baltimore paper says that "peaches are very abundant, very large, very fine, very delicious, and very cheap. The report of the failure of the crop was only raised to keep up the price as long as possible." We wish they would export a few thousand bushels to this city, to reduce the exorbitant price which is demanded for them here; as it is said that there are more spoiled by keeping them over from day to day, than there are sold. A dollar a peck is too high a price for even the best peaches; but to demand it for the middling, or common size, is too bad.

The past month was one of melancholy and distressing steamboat disasters in the western waters. C. P.

Philadelphia, September 1, 1841.

[U. S. Gazette.

**Remarkable Hail Storm.**

About three o'clock yesterday afternoon, clouds were shooting up from various points, indicating that rain so long needed, was about to refresh the earth. Speedily a few large drops came pating down, and then all was still again. But the repose was speedily broken—the windows of heaven seemed open, and such a descent of hail we never witnessed for the space of about fifteen minutes. The severity of the storm passed over the south-eastern part of the city,—stones, clear as crystal, of the size of musket balls, literally covering the ground. The windows in that section unprotected by blinds, were left without scarcely a pane of glass. One hundred were broken in the house where we were at the time. The bark of young peach trees was beaten off and the wood itself considerably bruised. Everything in the shape of vines was destroyed, while the cabbages looked as though they had been assailed by musketry. Three hours after the cessation of the storm, we passed along Monroe street where we saw a winnow of those messengers from the upper regions. Much damage must have been done in the line of this extraordinary storm.

A gentleman, Mr. Adams, just from an adjacent town, says that in one building in which he was, there were from sixty to eighty panes of glass broken, and that a great many of the hail pebbles, which penetrated the windows, were near the size of a hen's egg.—*Rochester D. Adv. Aug. 30.*

**Defence of the Delaware.**

Mr. Breck, from the Special Committee on the defenceless condition of the Delaware, submitted to Council the following Report:

In the month of May last the following resolution was referred to a joint Select Committee, and reported upon in part on the 3d of June:

Resolved, That a joint Select Committee of two members from each Council be appointed, for the purpose of preparing a memorial to Congress on the defenceless condition of the river Delaware, and particularly of the city and port of Philadelphia; and asking that Fort Mifflin may be repaired and suitably garrisoned, until more sufficient defences can be erected at the Pea Patch or elsewhere, on said river, and that said committee present the memorial to Councils at their next stated meeting, for their consideration and action thereon.

The committee appointed under that resolution, beg leave again to report, more in detail, that after going to Fort Mifflin, which they visited in order to become acquainted with its present condition, they prepared a memorial, which having been adopted by Councils, and duly authenticated by the signatures of their respective Presidents and the Corporate Seal, was sent in four copies to each House of Congress, to the President and Secretary of War, by Isaac Roach, Esq., as special messenger to Washington.

That gentleman was furnished with letters, written on behalf of the committee by their chairman, to the President and other officers of Government, and to several members of Congress, to whom Major Roach explained the subject of the memorial, with the intelligence which his knowledge as former commander of Fort Mifflin fully qualified him to do.

Since then the committee has been in correspondence with, and received efficient aid from Messrs. Toland, Ingersoll and Brown. By them it was informed of the appropriation by the House of Representatives of seventy thousand dollars [liable, however, to a contingency] for the reconstruction of Fort Delaware, on the Pea Patch.

Mr. Ingersoll, in one of his letters to the chairman, writes thus: "I paid the President an official visit, with your letter in my hand, requesting a particular interview with him.—He requested, whereof I would not object, that he might keep the letter, promising all attention to the business."

A few days after another letter was received from the same gentleman, in which he says: "The President has taken occasion to inform me, that the subject of your letter to me, having been referred by him to the Secretary of War, a body of Marines will be stationed in charge of Fort Mifflin, until a company of soldiers can be spared for the purpose."

Mr. Toland, equally zealous in this important matter, has transmitted to the committee, the original letter from the Secretary of War to him (and which accompanies this report as part thereof,) giving official assurance that a company of Artillery will take post at Fort Mifflin on the first of October next.

And finally, the chairman received yesterday from the Secretary of the Navy, a like official assurance that a Steamer is now being equipped for the service at the Navy Yard, Philadelphia, for the purpose of being retained for the present in the Delaware for the protection of the city.

The original letter from the Navy Department accompanies this, and is also offered as part of the report.

The committee having thus fully accomplished the purpose for which it was appointed, and procured a good degree of security against a sudden hostile invasion of our city and port, offer the following resolution :

Resolved, That the joint Select Committee on the defence of the Delaware, be discharged.

SAM'L. BRECK, Chairman.  
THOS. G. CONNOR,  
JAS. Y. HUMPHREYS,  
JOS. R. CHANDLER,

Philadelphia, August 26, 1841.

DEPARTMENT OF WAR, }  
August 14th, 1841. }

Sir,—In answer to your letter, enclosing a communication from Samuel Breck, in relation to the defence of the river Delaware, I have to inform you that a company of Artillery has been ordered to Fort Mifflin to take post on the 1st of October next; and that your request, as to the reference of Mr. Breck's letter to the Secretary of the Navy, has been complied with.

Very Respectfully,  
Your obedient servant,  
JNO. BELL.

Hon. George W. Toland, House of Representatives.

NAVY DEPARTMENT, }  
23d August, 1841. }

Sir,—Your letter of the 26th ult., addressed to the Hon. G. W. Toland, has been referred to this Department. The steamer referred to in your communication, is now being equipped for service at the Navy Yard, Philadelphia, and you are informed it is the purpose of the Department to retain her for the present in the Delaware for the protection of the city.

I am, very respectfully,  
Your obedient servant,  
GEO. E. BADGER.

Samuel Breck, Esq., Philadelphia.

The Whale Fishery.

The Representative in Congress of the 11th Congressional District of Massachusetts has furnished a list of the vessels engaged in the whaling business. Their number and the ports to which they belong, are as follows:

Nantucket .....	84
New Bedford.....	189
Fairhaven.....	48
Falmouth.....	10
Edgar Town .....	12
Holmes' Hole .....	4
Province Town.....	12
Total.....	359

Of which, 66 are Barks, Brigs and Schooners, and all the rest ships, many of them of 800 or 900 tons. This single District then has 359 vessels—or, an aggregate of 125,650 tons—navigated by not less than 9000 seamen, engaged in a single branch of enterprise.—*Baltimore American*.

Wisconsin Lead.

*The Lead Trade.*—Our citizens on Saturday afternoon, were not a little surprised by the appearance in our streets of four Sucker teams, loaded with lead from the furnace of Thomas Parish, Esq., near Muskoday, in Grant county.—These teams brought over about ten tons of lead, to be shipped to New York. It was sent on the Madison, on Monday.

We are informed by Mr. Dousman, that lead can be sent from this place to New York, for about fifty cents per hundred, and it costs 93 cents per hundred to deliver it here from Muskoday, making the entire expense of transporting the lead from the furnace to New York about \$1,50 per hundred, or \$30 per ton. This is a much less price than it costs to ship lead to New York via New Orleans. We understand the average cost by that route is about \$40 per ton.

The teams returned loaded with salt, which was obtained here at about \$2 50 per barrel. This can be disposed of in the mines at about \$7 per barrel—a very pretty advance certainly.

The teamers inform us that the road is such that they did not find the least difficulty in getting through with about 2 tons on each wagon.

The greatest inducement, however, which the lake route holds out to the smelter, over the southern route for the lead trade, is the increased expedition with which their lead gets to market. The lead which arrived here on Saturday was shipped on the Madison on Monday, and will be in New York within 20 days from the time it left the furnace, near the Mississippi river; and the owner will get his returns in about four weeks from the time the lead was smelted. A gentleman from Galena recently informed us that he shipped, over 90 days since, about \$1,500 worth of lead to New York by the southern route, and had not then got his returns from it.

We are informed by Mr. Dousman, that he will ship in a few weeks about 20 tons more, which he has purchased and paid for in salt.—*Milwaukie Courier*.

Treasury Notes.

Treasury Department, }  
September 1, 1841. }

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840,  
\$26,681,337 53

Redeemed of those issues ..... 24,864,363 64

Leaving outstanding the sum of..... \$1,816,973 89

Issued under the act of Feb. 1841, viz.

Prior to March 4 ..... \$673,681 32

Since March 4.....4,973,251 58

5,646,932 90

Redeemed of this issue ..... 199,266 30

Leaving outstanding, ----- 5,447,666 60

Aggregate outstanding on the 1st instant... \$7,264,640 49

T. EWING,  
Secretary of the Treasury.

Avalanche.

About three weeks since near one acre of Ellis cliffs sunk into the river with a tremendous crash. Those cliffs are located about two miles below Natchez, on the east bank of the Mississippi river. We are told by a friend who witnessed the avalanche that the river was in a frightful agitation—the waves ran mountains high for many minutes, and dashed over the levees on the Louisiana side; hundreds of fish were thrown out of their element and lodged upon the banks. If these accidents become common to the highlands on the lower Mississippi, we shall be sadly distressed for the fate of old Natchez; if her bluff does tumble down, we wish it understood that we have no need of the dirt on this side of the river.—*Concordia Intel*.



## REMARKS

*Relative to the Fossiliferous Ore of Pennsylvania, and its Employment in the Manufacture of Iron. By PROFESSOR J. C. BOOTH.*

In the course of a recent tour on the Susquehanna, I had an opportunity of making a few observations relative to the iron manufacture, some of which I believe to possess sufficient value to be laid before those who are interested in this foundation of national wealth. Indeed it is desirable that a freer interchange of sentiment should be maintained on this subject, and as many iron masters have made important observations in the course of their practice, I would suggest to them that their own interest lies in communicating such knowledge to the public, by its inducing a reciprocity on the part of others; for competition is less to be feared in this manufacture than in all others, since the consumption of iron will increase, at least, in proportion with its production.

The hematites, and other ores of Pennsylvania, having been worked advantageously for a great length of time, I paid more particular attention to the "fossiliferous ore," which is beginning to be more appreciated than formerly, and for very good reasons. It is regularly stratified, easy of access, always lies in the vicinity of limestone, and is, in all probability, of very great extent. For a more full and comprehensive view of this deposit, I refer to the excellent series of Geological Reports, particularly the 2d, 4th and 5th, presented to the Legislature of Pennsylvania, by Professor H. D. Rogers, which are based upon the extensive series of observations made by that gentleman and his assistants.

At the Duncannon iron works, I was shown a portion of chilled iron, from the hearth stone of a furnace in which the soft variety of the fossiliferous ore had been employed. Besides pure silica, which separates, and appears sometimes to have suffered fusion in this situation, a considerable quantity of pure metallic titanium was disseminated through the iron, and in a few points, it had separated somewhat in the form of a crystalline efflorescence, in which the cubical form could readily be detected with a microscope, and in many cases even with the naked eye. Upon referring to the analysis of this ore, (Report 2nd, p. 44; 4th, p. 191 to 195; 5th, p. 115 to 117,) no trace of titanium being mentioned, should not excite surprise, when we recollect the difficulty of detecting it, unless its presence should be suspected, and when we reflect on the small amount in the ore that might be requisite to precipitate an appreciable quantity of it on the hearth-stones. Beside, since this metal does not appear to combine with iron, nor to affect its quality, its detection in the ore is a matter of inferior moment, and I have merely introduced a notice of its presence from the interest with which it is regarded by those engaged in scientific pursuits. Another method by which it may be detected is to observe when the slag assumes a fine blue color, for Karsten has lately discovered that this color of the slag is due to the oxide of titanium.

A few hints may not be considered irrelevant in regard to the reduction of iron, which occurred to me in observing the ordinary processes, particularly at Danville. In roasting ores, which is generally regarded as an important preparatory step to their reduction, it is inadvisable to employ too strong a heat, for then the earthy materials and metallic oxide enter into a state of incipient fusion, which can be but imperfectly reduced in the furnace, and generally flow to the hearth in the state of slag. For although the carbonic oxide will act reducingly on its exterior surface, the inner, being completely enveloped in a compact cinder, can scarcely be affected. Probably the hard siliceous ore requires less heat than most of the other ores of iron, and indeed I give it as my conviction, that if the cost be not too great, it would be infinitely better to subject it to a coarse pulverization by mechanical means, since there is so small an amount of volatile matter in it, that simple roasting will not render it sufficiently porous. If roasting the ore be still adhered to, nothing should be more strictly watched than the object in view, which is to drive off volatile matter, and render the ore brittle and porous, and nothing can be more injudicious than to apply a heat which

will cause the ore to cake together, or become cindery, since it is then more difficult of reduction than the ore in its original state.

Another point that cannot be too much insisted on is the due and proper mixture of ores, and it might almost seem as if nature pointed out the propriety of this, in presenting the three varieties of ore in the same locality. It is a well ascertained fact, that a very large quantity of lime is requisite to bring silica into a fusible state, such as is necessary in the operations of the iron furnace, while a small proportion of alumina, in addition to those substances, requires less lime, and a much less intense heat, to form a perfect slag, or glass. Now it appears, from analysis, Report 5th, p. 116, that the siliceous ore consists almost wholly of peroxide of iron and silica, with only one-half per cent. of alumina, and that the calcareous variety contains none, and Report 4th, p. 102, the hard ore contains a mere trace of alumina. In Report 2d, p. 44, the porous and soft ore contains five per cent. alumina, and in Report 4th, p. 191 and 192, a similar ore includes five and six per cent. of the same earth. Hence it appears that the chief deficiency of the hard and calcareous ores lies in the want of alumina, which is contained in the soft ores; and that they should, therefore, be mingled in due proportion. If it is not always practicable to obtain a sufficient amount of aluminous ore for this purpose, the importance of having alumina present is such that it would become advisable to employ an argillaceous limestone as a flux, or even to use a clay, or other argillaceous material. If these points were to receive the attention they merit, I am convinced that iron masters would not so often complain of the difficulty of reducing hard varieties of ore.

*Journal of the Franklin Institute.*

## ARCHITECTURE.

*A Description of the Philadelphia County Prison, and the Debtors' Apartment. Designed and executed by THOMAS U. WALTER, Architect.*

The Philadelphia County Prison is situated on the Passunk road, about one mile south of the city. It occupies a space of 310 feet front by 525 feet in depth, with an addition on the north of 150 by 340 feet.

The façade consists of a centre building of fifty-three feet in width, with receding wings on either side, of fifty feet, flanked by massy octagonal towers. Beyond these towers, receding wing-walls are continued to the extremities of the front, and terminated with embattled bastions.

The whole exterior is composed of a blue sienite, obtained from Quincy, in the State of Massachusetts.

The style of architecture is that of the castles of the middle ages, and its decorations are in the *Perpendicular* or *Tudor* style of English Gothic.

The centre building is three stories in height, diminishing at each story in regular offsets, capped with a projecting belt. The corners are finished with circular warder towers of five feet four inches in diameter, commencing at ten feet below the top of the front wall, and extending five feet above it; these towers project *three-fourths* of their circumference over the corners of the building, and are crowned with embattled parapets, supported by corbels. The front wall and both the flanks are also finished with battlements, pierced with embrasures, thus forming an embattled screen between the towers, and imparting a tower-like effect to the whole centre building.

The wings are two stories in height, and contain the gates of entrance, each of which is ten feet wide, and seventeen feet high. These wings, and the octagonal towers which flank them, are pierced with slip windows, and finished with embattled parapets, in the same manner as the centre building.

The bastions, on the extreme angles of the front, are also crowned with pierced battlements corresponding with the rest of the design. They project two feet from the wing-walls, and measure, on each face, fifteen feet in width at the base, and thirteen feet at the top.

The centre building is surmounted by an embattled octag-



onal tower, which rises to the height of seventy-seven feet from the ground.

The interior is disposed in two general divisions, one for untried prisoners, and the other for male convicts, whose term of service does not exceed two years; the female convicts, being confined in a building on the adjoining lot.

The main prison contains 408 separate cells, built in two blocks of *three* stories in height, extending from each wing at right angles with the principal front. The cells open into a corridor of twenty feet in width, occupying the centre of each block, and extending the whole length and height of the building. The second and third stories are approached by means of granite stair-ways and galleries, supported on strong cast iron brackets; a clerk's office is situated at the head of each corridor, from which every cell-door in the whole range may be seen at the same moment.

Each cell is nine feet wide, thirteen feet long, and nine feet high, substantially arched with bricks, and floored with oak plank. They are all furnished with separate hydrants, water closets, flues for ventilation, flues for admitting fresh air, and flues for admitting warm air, generated in furnaces placed in the cellar of the building.

The furnaces are constructed at each end, and in the centre of each block, and the warm air is conveyed along passages of three feet in width, under the pavement in the corridor. The smoke flues are formed in these passages, the bottom and sides of them being composed of bricks, and the top, of cast iron plates; these flues extend horizontally from the main furnaces at each end, to the centre, where they rise perpendicularly to the top of the building; an ascending current is produced in the vertical portion of each flue by means of small furnaces constructed in the centre, and which are also made to impart heat to the cells adjacent to them; by these means an active current is formed in the horizontal flues, and heat is conveyed along the whole range, in sufficient quantities to keep all the cells of an agreeable temperature.

Each cell has a wooden door on the outside face of the wall, and an iron one on the inside; both doors are secured to a cast iron casing, or frame, which extends through the whole thickness of the wall.

The hydrants and water closets are supplied from *twelve* reservoirs placed near the roof of the building; these reservoirs receive their water from the works at Fairmount.

The kitchen, bake-house, laundry and bath-houses, are situated in a separate building, occupying a space of forty-three feet wide by seventy-two feet long, in the yard between the two blocks of cells; they are approached from both divisions of the prison, by means of covered passages.

The kitchen is furnished with a large steam boiler, and four cast iron reservoirs, of eighty gallons each, in which all the boiling for the prisoners is done by steam.

The apartment for females is situated in an adjoining enclosure, of 150 by 340 feet, entered by a gate-way from the yard of the main prison; the building measures 43 by 282 feet, and consists of two stories in height, embracing 100 separate cells, of eight feet by twelve, a suite of rooms for an infirmary, of twenty by fifty-one feet, and two rooms for a keeper, each twenty by twenty. The arrangements for hydrants, water closets, warming and ventilation, are similar to those already described.

The principal entrance to this portion of the establishment, is from Eleventh street; it consists of a gate-way of nine feet in width, placed in the middle of a projecting centre of fifty feet, composed of brown sand stone, and finished in the simplest style of Egyptian architecture. The whole western front is built of the same material, and in the same style.

#### *The Debtors' Apartment.*

This edifice is situated on the Passyunk road, north of the main prison, and east of the female apartment; it presents a front of ninety feet, composed of brown sand stone, in the Egyptian style of architecture. The façade consists of a recessed portico, supported by two columns, proportioned from those of the Temple of the Sun, on the Isle d' Elphantine, in Egypt. The windows are crowned with the massy bead and cavetto cornice peculiar to the style, and the top of the

building is finished in the same manner. A winged globe is carved in the cavetto of the main cornice, and a similar ornament is introduced over the door.

The aggregate cost of the whole work was upwards of \$450,000; the County Prison was founded in 1832, and finished in 1835; the debtors' apartment was built in 1836, and the apartment for females in 1837 and 8.

T. U. W.

*Journal of the Franklin Institute.*

#### **Greenough's Statue of Washington.**

From the documents connected with the finishing and delivery of this fine statue, which have been printed by order of the House of Representatives, we copy the following characteristic letter of the Artist, addressed to the Secretary of State—repudiating a miserable saving in the freight proposed to be effected by Commodore Hull, at the risk of the statue.

FLORENCE, May 12, 1841.

"Sir—After many delays, occasioned, in the first instance, by rumors of war, and afterwards by negotiations between Commodore Hull and Messrs. Fitch, Brothers & Co., of Marseilles, the ship "Sea," Captain Delano, is at length arrived at Leghorn to receive the statue of Washington; as is also the United States sloop of war, Preble, whose commander is charged with the duty of overseeing and assisting the shipment.

Commodore Hull informs me that he has allowed the captain of the "Sea" the privilege of touching at one or more ports in the Mediterranean to complete his cargo before sailing to America; after which, he is allowed to discharge such cargo at any port in the United States not south of Norfolk, Virginia, before proceeding to land the statue of Washington.

I learn from Captain Delano, that the sum of five thousand dollars had been demanded by him for the transportation of the statue, without any other cargo, and that Commodore Hull had offered three thousand five hundred dollars. Deeming the delay and risk to which the arrangement made by Commodore Hull will subject the monument, as too great to be justified by a saving of fifteen hundred dollars, I have written to Messrs. Fitch, Brothers & Co. to offer them that sum; and have preferred the risk of ultimately sacrificing that amount to the disgrace and danger of trading about in this sea with a national monument of Washington under hatches.

I may be found to have acted without due consideration for the opinion of Commodore Hull; but I beg leave to represent, that though I have been paid for this statue, I have still an interest in it—the interest of a father in his child.—It is the birth of my thought. I have sacrificed to it the flower of my days and the freshness of my strength; its every lineament has been moistened with the sweat of my toil and the tears of my exile. I would not barter away its association with my name for the proudest fortune that avarice ever dreamed. In giving it up to the nation that has done me the honor to order it at my hand, I respectfully claim for it that protection which it is the boast of civilization to afford to art, and which a generous enemy has more than once been seen to extend, even to the monuments of his own defeat.

Should it seem fitting to the gentlemen with whom rests the decision of the question, that I should myself pay the sum I have offered on my own responsibility, I request that I may have early notice of such decision."

It is only proper to add, that the Secretary of the Navy proposes, as a matter of course, to refund to Mr. Greenough the \$1500 which he with true artist enthusiasm and generosity advanced for the freight.

COMMERCE OF THE LEHIGH CANAL.—The Wilkesbarre Advocate states that there are upwards of 11,000,000 feet of manufactured lumber ready to descend the Lehigh Canal, as soon as it is repaired.

### A Cruise after Mackerel.

A late number of the Lowell Courier contained an interesting letter from a gentleman, who being out of health, shipped on board the schooner Reward, Skipper Janvrin, on a mackerel cruise, and sailed from Newburyport on the 6th of July. We give some extracts, illustrating life on board a fishing vessel.

"A fair wind carried us beyond the bar in a few moments, and we were soon rolling and tossing on the briny deep.—Before dark a thunder storm arose, which lasted all night; at this time, the usual initiation into a sea-faring life, a sea-sickness commenced with me, and continued about three days, the sea being very rough during the time. I was too weak to go on deck that night, although I was very desirous to see a "thunder storm at sea," which has so often aroused the poet's imagination. I expected another opportunity of witnessing this inspiring scene, but did not have one. While I was sea-sick I had no appetite at all, but on getting better, it was almost impossible to satisfy myself with eating, such an effect had the sea upon me. Besides the rolling of the vessel, the manner of living, alone, would require a sickness before one could become accustomed to it. The water which is carried in barrels, soon becomes poor and even dirty, and every thing that it is used in is tainted by it. There is never but one dish set on the table at a meal, and the choice you have is to eat that, or go hungry. Corned beef, boiled rice and fish, are the usual dishes. A mess of *pancakes* occasionally, is the greatest delicacy to be had. However, after a green hand has been out a short time, he can eat any thing as well as the rest of them.

We sailed south, and on Friday morning were sixty miles south of Nantucket, but did not fall in with any mackerel until Saturday, when we were called to our lines before dawn of day, by the skipper, who, holding the morning watch, had discovered that there was a school around us. They bit well for about *three-quarters of an hour*, and we salted seven barrels that morning. It was at this time that I learned the process of taking them.

Every person has two lines, with two hooks on each, and even when the fish are most plenty, an experienced hand can with perfect ease tend two lines, while a tyro finds difficulty in preventing one from becoming entangled, as he draws in the fish or throws the line out again. Mackerel always go in schools, but it is not every school that will bite; when they will not bite they are said to be "*schooling*." In this case, they are seen in large numbers, with their heads nearly out of water, swimming with great swiftness, sometimes in a direct line, and sometimes round and round, having the appearance of being frightened. A school can be seen a half a mile distant, and whenever one is perceived the vessel endeavors to "run into it," and stop it by throwing bait among them, which they sometimes succeed in doing. This bait, which is used for the purpose of keeping the school about the vessel, consists of other fish taken on board in port, and salted. It is ground up very fine in a "bait mill," and always used while fishing. The hooks are baited with a small piece of fish taken from the throat of the mackerel that are caught, and when this cannot be procured, with pieces of pork. They bite very quick, much like a pickerel, and must be drawn in, the instant they are felt touching the hook.—There is no mercy shown to the fish after he is taken; by a jerk of the line the hook is torn from his mouth, and he falls into a barrel or on deck. Frequently after they cease biting, the remainder of the school is seen swimming about near the surface of the water, in which case, they are "gaffed," or hooked up, with an instrument called a "gaff," which is an iron or steel rod, two feet long, bent at the end like a hook, but without a beard, and attached to a pole about six feet long. When the fish have all disappeared, (probably sunken) the fishermen proceed to dress, wash, and salt those caught, which is done with such despatch by those practised in the business, that in *less than an hour* after we had ceased fishing, seven barrels were salted, and the crew's work ended for the day.

Mackerel seldom ever bite except early in the morning, or just at night, and since they are not found every day, there

is much leisure time on board a fishing vessel, which is the duller part of the voyage. Such time is employed by the crew in making miniature vessels, catching various kinds of fish for amusement and to eat, and in sleeping. I used to amuse myself with some old newspapers that the skipper had with him, and with the "yarns" of the crew. The fishing business is very uncertain; one may fall in with mackerel and return home fully laden with them in four or five days, or may cruise about till the stores are all exhausted, without finding any.

We coasted along Cape Cod for about three weeks, catching a few mackerel now and then, but found them rather scarce, and what few there were, very small. Cape Cod is, from the water, the most dreary looking place that I ever saw. As you sail along you see nothing but a sand bank, with two or three huts upon it, which have been erected for the benefit of shipwrecked sailors, who might chance to be washed on shore alive. It was frequently said, as we passed within sight of the sandy bank, by some of the crew "many a poor sailor has found a solitary grave near this place."—It is no terror, however, to fishermen, as they are not there during the stormy part of the season. The greatest danger fishermen are in, is of being run into by other vessels during a fog, which is sometimes so thick that you can see but little more than the length of the vessel. Such an accident occurred to a vessel that was near us almost all the trip, and she was obliged to put into the nearest port.

One morning the skipper spoke a vessel from the Bay of Chaleur, with a hundred barrels of mackerel, that reported them plenty in that bay. The skipper, thinking it was not best to remain there when he heard of mackerel elsewhere, immediately set sail and steered for home, to take a new fit-out for the Bay of Chaleur. The next day we were alongside of the wharf we sailed from. Thus it is with fishermen, whenever they hear that mackerel have been caught in any other place, they all set sail for the spot, but nine times out of ten they learn, too late, that the fish are somewhere else. Many fishermen have (as I am told) been living almost entirely upon hope, for two or three years past, expecting soon to find mackerel plenty and to catch their share of them.—Some last year did not catch the amount of fifty barrels, which would not pay their out-fits. They are led to suppose that they shall do well before long, because there was *once* a time when they found mackerel plenty, and because even now, occasionally a vessel is fortunate enough to make a good trip. But the business must, undoubtedly, be dropped by many of them, for it is evident that mackerel are pretty well caught up, and will never again be so plenty as they have been.

If any class of people ought to be well paid for their labor, it is the fishermen, for theirs certainly is a hard life. As they go in small vessels, they cannot enjoy even many conveniences that seamen do on board large vessels, and they are obliged by necessity, to live among much filth. They cannot carry with them a great assortment of provisions, and being out almost all the summer season, they are deprived of fruits and many of those productions of the soil, which in the season of them, furnish landmen with so many luxurious dishes."

### Mobile.

Comparative statement of Cotton at this port, 15th Aug.

	Receipts.	Exports.	Stocks.
1832	126,124	126,062	62
1833	128,242	128,949	393
1834	149,213	148,288	955
1835	197,602	197,496	306
1836	237,389	237,269	120
1837	232,484	228,285	4,199
1838	310,599	309,767	832
1839	252,285	247,021	5,264
1840	444,861	423,981	20,880
1841	315,595	318,372	500

Mobile Journal of Commerce.

**Geological Survey of New Hampshire.**

We received last week an interesting letter from Dr. C. T. Jackson, giving some account of his progress, &c. The following are extracts.

LANCASTER, N. H. Aug. 15, 1841.

*Mr. Brewster,--Dear Sir--*

We have lately been engaged in the exploration of the upper part of Coos county, which is a region of considerable interest, both on account of its agricultural and geological character. One of the most remarkable curiosities is in the town of Columbia, near Colebrook Corner. It is a Pond—the bottom and shores of which are covered with a thick bed of fine white calcareous marl, which was formed by the myriads of minute shell-fish which live in its waters. The growth of this marl is still gradually progressing. The bed is at present from 3 to 6 feet in thickness and covers an area of many acres, the length of the pond being 100 rods and its width from 40 to 60 rods.

The shells are the *Cyclas*, *Planorbis*, *Paludina*, and a few other species which I have not examined. The *Cyclas* is by far the most abundant, and is rarely larger than a sixteenth of an inch in diameter, and is not so thick as the paper on which I am writing, yet principally by their accumulation has this vast and important bed of marl been produced! The origin of the calcareous matter which forms the substance of the shells, I readily traced to the limestone rocks which occur abundantly around the pond, especially in the swampy land through which the brooks pass which supply the lake. The water of the pond was found to be charged very strongly with the bi-carbonate and crenate of lime, and with carbonate of iron, in smaller proportions. It also contains ammonia, which is combined with the organic matters which are derived from the surrounding soil.

No fishes exist in the waters of this pond, but the waters are alive with an abundance of leeches, and with various kinds of insects and worms with which I am not familiar.

The people of Colebrook have been in the habit of making lime from this marl, which they burn in rude kilns, constructed for the purpose. The marl is laid while wet directly upon the wood, and the layers of wood and marl are repeated until the kiln is filled. Then the fire is kindled in the arch below the lower layer of wood, and the flame passing under the wood and marl, rises up beyond it at the farther end of the kiln. The marl, when it dries, cracks and soon permits the flame to circulate, and the wood between the marl is burned. At the close of the combustion the marl is found to be calcined into lime. The operation requires from three to four days. The soil being calcareous in the vicinity, it has not been deemed necessary to use the marl in agriculture.

Limestone of a buff color occurs in the town, but it is not yet ascertained whether it can be profitably burned for lime, since it melts at a white heat, and is difficult to manage. It may be found to make a good hydraulic cement. This I shall examine carefully next winter, when I analyze the minerals and determine the use to which they may be put. Large blocks of white limestone occur in Lancaster, but we have found but little here in ledges. There is, however, a prospect of finding the original bed in the vicinity of the loose blocks which we have discovered, for they are angular, and not rounded by distant transportation by water.

The lead ore of Shelburn is very rich in silver, but the veins are narrow, say from 2 to six inches in width. Black-blende or zinc-ore occurs abundantly in the same veins.

We are going to examine Dalton, Landaff, and that vicinity, and shall then move on to the southward, examining those places which we have not before visited.

Respectfully your obedient servant,

T. C. JACKSON.

P. S.—Dixville Notch is a spot which will repay the lover of the picturesque for a visit. A new road is being constructed, which will afford an easy passage through the notch to Errol, and from thence to Portland. A light wagon

may easily pass the notch at present, but it is better for the traveller to visit it on horseback. The scenery was briefly, but accurately described in my first Report. Fabian and Crawford have now good horse-paths to the summit of Mount Washington, and travellers *ride* up the Mount daily.

**Yankee Enterprise.**

The Brig *Echo*, which arrived here on Tuesday, in 20 days from Kingston, Jamaica, brings no important intelligence, except that the Island is quite healthy and business dull. Mr. Robert Clark, of Massachusetts, who came passenger in her, says that an English ship which lay near the "*Echo*," had lost most of her crew by a Fever, although it was not deemed malignant. The negroes on the Island were remarkably sober and orderly, but not so industrious as before emancipation. Mr. Whitmars, whose experiments in introducing the Silk business on the Island of Jamaica has excited so much interest in Great Britain and this country, still continued eminently successful in propagating his trees, feeding worms and experimenting in making Silk. The Government was delighted with his enterprise and gave him every facility he desired to carry out his plans. He had forty acres of Mulberry trees and was erecting a spacious cocoonery 100 feet long, in which to feed the worms. Mr. Whitmarsh and Mr. Clark are both from Massachusetts. The former is introducing the Silk culture which promises so well for the West India Islands, and the latter has arrived here for the purpose of procuring the necessary apparatus for the extensive manufacture of Segars, a few miles in the interior from Kingston. A ship load of ice had just arrived from Boston, much to the delight of the islanders.

*North American.*

**Extraordinary Steamboat Speed.**

The Hudson Gazette contains an account of the passage between that city and New York of the steamboat *Columbia*, Capt. Newberry, a new and beautiful boat, owned by the citizens of Hudson. The passage was performed in six hours and fifty-five minutes, including landings.


**RATTLE SNAKES.**—Two gentlemen of Catawissa Pa., recently killed in a field near the Catawissa mountain 29 rattlesnakes, the largest measuring three feet, and having nineteen rattles. They also killed in the same field a large cobra-capello, commonly called copper head, whose bite is peculiarly venomous.

Since our last number, the United States Bank has made an assignment, which, for the purpose of continuing the documentary history commenced in the last volume, we shall insert in our next number.

The land bill has been passed by Congress, and approved by the President.

The new Bank bill has also been passed by both Houses, and yet awaits the action of the President.

As soon as correct copies can be obtained, we shall publish both these documents.—*Ed.*

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VOL. V.

PHILADELPHIA, WEDNESDAY, SEPT. 15, 1841.

No. 11.

From the Philadelphia Inquirer and Courier.

## The United States Bank Assignment.

THIS INDENTURE, made the fourth day of September, in the year of our Lord one thousand eight hundred and forty-one, by and between the President, Directors and Company of the Bank of the United States of the one part, and James Robertson, of the city of Philadelphia and State of Pennsylvania, Esquire; Richard H. Bayard, of the City of Wilmington, and State of Delaware, Esquire; James S. Newbold, Herman Cope and Thomas S. Taylor, all of the city of Philadelphia, and State of Pennsylvania, Esquires, of the other part: *Whereas*, the party of the first part are indebted to sundry persons and bodies corporate, in divers sums of money, which from various causes the said party of the first part are unable at present fully to pay and satisfy, but are desirous of providing an adequate security for the payment and satisfaction of the same, in a just and equitable manner:—

Now, *This Indenture Witnesseth*, That the said party of the first part, as well for the consideration aforesaid, as for and in consideration of the sum of *one dollar* to them in hand paid by the party of the second part, at and before the sealing and delivery of these presents, the receipt whereof they do hereby acknowledge, *Have granted, bargained, sold, aliened, enfeoffed, released, confirmed, assigned, delivered, transferred and set over*, and by these presents, *Do grant, bargain, sell, alien, enfeoff, release, confirm, assign, deliver, transfer and set over* unto the said party of the second part, all and singular, the lands, tenements, hereditaments, stocks, goods, chattels, rights, credits, moneys, property and effects of the said party of the first part, whatsoever and wheresoever saving and excepting only the estate, property and effects contained, described, and set forth in a certain schedule hereunto annexed, sealed with the seal of the said party of the first part, and bearing even date herewith, and excepting also all the right, title, interest, property, claim and demand of the said party of the first part, whether present, resulting or eventual, of, in, and to any, and all the lands, tenements and hereditaments, goods, chattels, moneys, stocks, debts, effects and property whatsoever and wheresoever, heretofore granted, assigned, transferred, mortgaged, hypothecated, pledged or delivered by the said party of the first part, to any person or persons, or bodies corporate whatsoever, for the use, security or indemnity of any creditor or creditors, surety or sureties, or other persons or bodies corporate whatsoever, together with all deeds, papers, muniments of titles and evidences belonging or relating thereto. *To Have and to Hold*, all and singular the premises hereby given, granted, assigned and transferred, or intended so to be, to the said party of the second part, and to the survivor of them, and the heirs, executors, administrators and assigns of such survivor, to and for their and his own use, benefit, and behoof, forever, as joint tenants, and not as tenants in common. *In trust nevertheless*, to and for the following uses, intents, purposes and trusts, and to, and for none other whatsoever. That is to say, *in Trust* in the first place, to enter upon the Real Estate hereby granted, and to sell, dispose of, and convey the same in fee simple, or for any less Estate, by public or private sale, for the best price that can be obtained for the same, for cash or on credit, as to them may seem most expedient, and to give receipts

for the purchase money, so that the purchasers shall not be accountable for the same; and in the meantime, and until sales shall be made, to receive the rents, issues and income of the said Real Estate, and pay the charges thereon, and to sell, dispose of, assign and transfer all the personal Estate, and pay the charges thereon, and to sell, dispose of, assign and transfer all the personal Estate, property and effects hereby assigned, transferred and set over by the party of the first part, to the party of the second part, for the best price that can be obtained for the same, for cash or on credit, as to them shall seem most expedient, and to receive in payment for the same, and in payment of the Real Estate so as aforesaid, sold and conveyed, the notes of the party of the first part, if the said party of the second part shall deem it expedient so to do; and in the next place, *in Trust* to ask, demand, sue for, recover, receive, collect and get in all and singular the debts and moneys due, and owing to the said party of the first part and hereby assigned, and at their discretion to compromise and compound for the same; and the moneys so collected received and got in, as well as the proceeds of the said real and personal estate, safely to keep and apply to and for the uses and purposes herein declared, that is to say, *In the first place*, to pay and discharge all reasonable and necessary expenses, costs and charges, attending the execution of this Trust; in which it is expressly understood and agreed, that there shall be included to be charged by, and allowed to the said James Robertson, Richard H. Bayard, and James S. Newbold, the three Assignees first above mentioned, so long as they shall respectively continue in the execution of this Trust, the annual sum of fifteen hundred dollars each; and to be charged by, and allowed to the said Herman Cope and Thomas S. Taylor, the two Assignees last above mentioned, respectively, so long as they shall respectively devote their whole time and attention to the business and concerns of this Trust, so far as the same shall be required, the annual sum of four thousand dollars each, being an amount equal to the salaries which the said Herman Cope and Thomas S. Taylor respectively receive as Superintendent of Suspended Debt, and Cashier of the Bank of the United States, which salaries are now to cease and determine: *Provided always*, that if at any time hereafter, any creditor or creditors of the said party of the first part, interested in this Trust, to the amount together of five hundred thousand dollars or more, shall require the parties of the second part, to call a meeting of all the creditors so interested, for the purpose of diminishing, enlarging, or revoking such allowances to the Assignees above mentioned, or any of them, that it shall then be the duty of the said party of the second part, to call such meeting, to be held at some convenient place, to be by them appointed, of which thirty days notice shall be published in two or more of the daily newspapers of the city of Philadelphia, at least twice a week during said period of thirty days; and at such meeting a majority in number and value of said creditors shall then and there have power to diminish, increase, or revoke the said allowance accordingly, and in case of such diminution or revocation, then the Trust of this Indenture in regard to such allowance, shall thereafter conform to such order of the creditors aforesaid, saving, nevertheless, in that event, to the parties of the second part, and each of them, their right to such compensation as a competent tribunal shall in this behalf hold them to be respectively entitled to for their services in the execution of this Trust. And in the



second place, to pay off, discharge and satisfy all the judgments heretofore entered and obtained against the said party of the first part, in any court or before any magistrate in the State of Pennsylvania, together with the interest, costs and charges accruing thereon. And in the third place, fully and completely to indemnify, and save harmless, the legal representatives of the estate of Charles H. Phelps, deceased, from any loss or damage which the said estate has sustained, or may sustain, for or by reason of any suretyship, engagement or responsibility of any kind whatsoever, which the said Charles H. Phelps, or the legal representatives of his estate, may have entered into for, or on behalf of the party of the first part to these presents; and especially to make good, and carry into full effect to the said legal representatives, a certain agreement or engagement made to the said Charles H. Phelps, and contained in a letter addressed to him by Joseph Cowperthwaite, Esq. acting on behalf of the party of the first part, together with William D. Lewis, Esquire, acting on behalf of the Girard Bank, and bearing date the seventh day of November, A. D. one thousand eight hundred and thirty-nine. And in the fourth place, fully to indemnify and save harmless, all other sureties from any loss or damage, which they or any of them have sustained or may sustain, for or by reason of any suretyship, engagement or responsibility of any kind whatsoever, which they respectively have entered into for, or on behalf of the said party of the first part to these presents. And in the fifth place, from time to time, as often as they shall have moneys in hand of sufficient amount for a dividend to divide and distribute the same rateably and equally in and towards the payment of all and every the debts of the said party of the first part, and the interest accrued thereon, so that each creditor may participate rateably and alike in every such dividend, until all the said debts and the interest accrued thereon shall be fully paid off and discharged; except post notes issued to or held by certain banks in the city and county of Philadelphia, for which security was provided and given by an Indenture bearing date the first day of May in the present year, and which are not intended to be provided for and embraced in the present Indenture. And a further Trust, from and after the payment and discharge of the debts intended to be secured and provided for by this Indenture, in full with interest, then to re-transfer, convey, and pay over to the said party of the first part, their successors and assigns, whatever may remain of the premises hereby granted or assigned, and all moneys, credits and effects which may have been raised therefrom, or from any part thereof, and not applied to the purpose of the Trusts herein and hereby created; together with all deeds, papers, muniments of title, evidences and securities relating thereto. Provided, always, nevertheless, and it is hereby expressly declared, understood and agreed, as the condition of this Indenture and the Trusts therein and thereby created, that before the said Trustees, their successors or assigns, shall proceed to make or declare any dividend of the moneys raised or collected as aforesaid, they shall give thirty days notice of their intention so to do, in two or more of the daily newspapers published in the city of Philadelphia, at least twice a week during the said period of thirty days, calling upon the claimants to come forward and prove their debts; and such dividend shall be declared and made only on the amounts so brought forward and proved, and no creditor shall be entitled to claim or receive such dividend who shall not have brought forward and proved his, her, or their debt or debts, before the time appointed for making and declaring such dividends. But, if any further dividends shall thereafter be made, such neglecting or defaulting creditor, bringing forward and proving his, her, or their claim or claims in time therefor, as aforesaid, shall be entitled to receive, in addition to such dividend, an amount equal to the rate of dividend or dividends which shall have been before made and paid, and so on from time to time until a final dividend shall be declared and made, which final dividend the said Trustees, their successors, and assigns, are hereby authorized and required to declare and make, whenever the moneys arising from the premises hereby granted and assigned, shall by the payment of the said final dividend be disposed of and exhausted, or when all the creditors who have brought forward and proved their claims shall be paid

in full, principal and interest; it being understood, however, that no interest shall be paid until the final dividend, and from and after such final dividend no creditor shall have any claim upon the remaining fund, if any there be, nor upon the said Trustees, their successors, or assigns, for or by reason of these presents, or the trusts herein or hereby created; but the same, except the trust for reconveying the surplus to the said party of the first part; their successors or assigns shall thenceforth cease, determine and be at an end; Provided, also, and it is expressly understood and agreed, that if the said party of the first part, their successors or assigns, shall at any time pay off and discharge the said debts, then and from thenceforth the trusts herein and hereby created or so much thereof as shall then remain unexecuted, shall cease and be determined, and the whole of the trust property then remaining shall be conveyed, transferred and be delivered to the said party of the first part, their successors or assigns. And it is hereby expressly agreed by and between the parties to these presents, as a condition and part thereof, that the said Trustees, their successors, and assigns, shall not be answerable for the acts, omissions, or defaults of each other, but only each for his own acts, omissions and defaults, and that they shall not be answerable for the misconduct, omission, or default of any agent, or agents they may find it necessary to employ, but that they shall be accountable only for the exercise of fair and reasonable skill and judgment, so well in the appointment of such agent or agents as in the general management of the Trust hereby created, if the same be executed in good faith and intention. And it is hereby further understood and agreed, that the compensation above agreed to be charged by and allowed to the parties of the second part for their services in executing this Trust, shall be at the rate of fifteen hundred dollars per annum to each of the three assignees first above named, and at the rate of four thousand dollars per annum to each of the assignees last above named, and that the said compensation shall be apportionable according to the time the said assignees shall respectively continue in the performance of the duties of the Trusts hereby created; and the better to enable the party of the second part, their successors and assigns, to execute the said Trusts, the said party of the first part, do hereby make, constitute and appoint them, their true and lawful attorneys and attorney irrevocable in the premises for them and in their name, but to and for the uses, intents and purposes of this Trust, and at the cost and charges of the same, to ask, demand, sue for, and recover and receive all and every sum or sums of money due, or to become due by reason of any matter or thing herein and hereby granted and assigned, or intended so to be, and to give receipts and acquittances for the same, and generally to act and do as fully and effectually in the premises as they themselves might or could do, and substitute or substitutes one or more under them, to nominate and appoint, and again at pleasure to revoke, such nominations or appointments, hereby ratifying and confirming whatsoever they or their said substitute or substitutes may lawfully do in the premises.

IN WITNESS WHEREOF, the said parties have hereunto interchangeably set their hands and seals, the said the President, Directors and Company, of the Bank of the United States, party of the first part, acting by their President, James Robertson, Esquire, at Philadelphia, the day and year first above written.

J. ROBERTSON, President.

[SEAL.]

We accept the Trusts created by the above indenture of assignment.

J. ROBERTSON.

[SEAL.]

JAMES S. NEWBOLD.

[SEAL.]

HERMAN COPE.

[SEAL.]

THOS S. TAYLOR.

[SEAL.]

Signed Sealed and Delivered }  
in the presence of us. }

JNO. PENINGTON.

G. W. FAIRMAN.

The word "Wilmington" in the second line from the top, and the word "said" in the the thirty-seventh line from the top being written on erasures, and the words "in the State



of Pennsylvania" between the thirty-first and thirty-second line from the top, being interlined before execution.

State of Pennsylvania, }  
City of Philadelphia. }

Before me, the subscriber, Mayor of the city of Philadelphia, appeared the above named James Robertson, Esquire, to me personally known as the President of the Corporation above named. The President, Directors and Company of the Bank of the United States, who being duly sworn according to law, did depose and say, that he executed the above written Indenture as President of the said Corporation, and that the above impression is the Common seal of the said Corporation, thereto duly affixed by authority of the Board of Directors, and that the said indenture is sealed and delivered as the proper act and deed of the said the President, Directors and Company of the Bank of the United States, for the uses, intents and purposes therein set forth. And John Penington and George W. Fairman, the subscribing witnesses to the said Indenture, being duly sworn, do declare that they were present and did see the said President, James Robertson, Esquire, sign the said Indenture, affix thereto the Common Seal of the said Corporation, and deliver the said Indenture as the act and deed of the said Corporation.

Witness my hand and the Common Seal of the said city, this fourth day of September, in the year of our Lord one thousand eight hundred and forty-one.

[SEAL.]

JNO. SWIFT, Mayor.

*Schedule of Property and effects alluded to in annexed Deed of Assignment.*

4,020 shares of the capital stock of the Cumberland Valley Railroad Company.

25 shares of the capital stock of the Erie Salt Company.

2,020 shares of the capital stock of the Franklin Railroad Company.

400 shares of the capital stock of Somerset and Cumberland Turnpike Company.

300 shares of the capital stock of the Williamsport Bridge Company.

5,203 shares of the capital stock of the Sunbury and Erie Railroad Company.

200 shares of the capital stock of the Johnstown and Ligonier Turnpike Company.

2,000 shares of the capital stock of the Wrightsville, York and Gettysburg Railroad Company.

600 shares of the capital stock of the Warren and Ridgeway Turnpike Company.

600 shares of the capital stock of the Warren and Franklin Turnpike Company.

300 shares of the capital stock of the Washington and Pittsburg Turnpike Company.

1,000 shares of the capital stock of the Monongahela Navigation Company.

200 shares of the capital stock of the Roseberg and Mercer Turnpike Company.

134 shares of the capital stock of the Union Canal Company.

30 shares of the capital stock of the West Philadelphia Railroad Company.

Philadelphia, the fourth day of September, A. D. 1841.

J. ROBERTSON, President. [SEAL.]

Sealed, signed and delivered }  
in the presence of us. }

John Penington,

G. W. Fairman.

(Recorded September 4th, 1841.)

I, GEORGE SMITH, Recorder of Deeds, &c. for the city and county of Philadelphia, do certify the above and foregoing to be a true copy of a certain instrument of writing, remaining of Record in my office, in Deed Book G. S. No. 29, page —, &c.

[SEAL.] Witness my hand and seal of office, this 6th day of September, Anno Domini, 1841.

For GEORGE SMITH, Rec.

Joshua Spring.

**Bank of the United States.**

*A Supplementary Assignment.*

THIS INDENTURE, made this 6th day of September, in the year of our Lord one thousand eight hundred and forty-one, by and between the President, Directors and Company of the Bank of the United States, of the one part, and James Robertson, of the city of Philadelphia and State of Pennsylvania, Esquire, Richard H. Bayard, of the city of Wilmington and State of Delaware, Esquire, James S. Newbold, Herman Cope and Thomas S. Taylor, all of the said city of Philadelphia, Esquires, of the other part, witnesseth, that the said party of the first part, for divers good, sufficient and valuable considerations, them thereunto moving, and also for and in consideration of the sum of one dollar, to them in hand paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt whereof they do hereby acknowledge, have granted, bargained, sold, aliened, enfeoffed, released, confirmed, assigned, transferred, delivered, and set over, and by these presents do grant, bargain, sell, alien, enfeoff, release, confirm, assign, transfer, deliver, and set over, unto the party of the second part, all the right, title, interest, property, claim and demand of the said party of the first part, whether present, resulting, or eventual, of, in, and to any and all the lands, tenements, hereditaments, goods, chattels, moneys, stocks, debts, effects and property, whatsoever and wheresoever granted, mortgaged, assigned, transferred, hypothecated, pledged or delivered by the said party of the first part, to any person or persons, body or bodies corporate whatever, for the use, security, payment, or indemnity of any creditor or creditors, surety or sureties, or other persons or bodies corporate whatsoever, prior to the 4th day of September, in the year of our Lord one thousand eight hundred and forty-one, saving and excepting only, all the right, title, interest, property, claim and demand of the said party of the first part, whether present, resulting, or eventual, of, in, and to all the goods, chattels, moneys, stocks, debts, effects and property whatsoever, heretofore assigned, transferred, hypothecated, pledged, or delivered by the said party of the first part, to any person or persons, or bodies corporate, whatsoever, for the use, security, payment or indemnity of any creditor or creditors, surety or sureties, or other persons or bodies corporate in Europe, together with all deeds, papers, muniments of title, and evidence relating thereto: To have and to hold all and singular the premises hereby given, granted, assigned, transferred, and set over, or intended so to be, to the said party of the second part, and the survivor of them, and the heirs, executors, administrators and assigns of such survivor, to and for their own use, benefit and behoof forever. In Trust nevertheless to and for the same uses, interest and purposes, and upon the same Trusts, and under and subject to the same terms, conditions, provisos, limitations, restrictions and qualifications, as are mentioned, set forth, and declared, in and by a certain deed of assignment made and executed by and between the parties to these presents, bearing date the said fourth day of September, in the year of our Lord one thousand eight hundred and forty-one, and to which this deed and assignment is intended to be a supplement.

In witness whereof the said parties have hereunto interchangeably set their hands and seals. The said the President, Directors and Company of the Bank of the United States acting by their President, James Robertson, Esq., at Philadelphia, the day and year first above written.

We accept the Trust created by the above indenture of assignment.

J. ROBERTSON, [L. S.]

JAS. S. NEWBOLD, [L. S.]

HERMAN COPE, [L. S.]

THOS. S. TAYLOR, [L. S.]

J. ROBERTSON, President. [L. S.]

Signed, sealed, and delivered in the presence of us.

JNO. PENINGTON, }  
G. W. FAIRMAN. }

State of Pennsylvania, }  
City of Philadelphia. }

Before me, the subscriber, Mayor of the city of Philadelphia, appeared the above named Jas. Robertson, Esq. to me personally known as the President of the Corporation above named, the President, Directors and Company of the Bank of the United States, who being duly sworn according to law, did depose and say that he executed the above written Indenture as President of the said corporation, and that the above impression is the Common Seal of the said Corporation thereto duly affixed by authority of the Board of Directors, and that the said Indenture is sealed and delivered as the proper act and deed of the said—the President, Directors and Company of the Bank of the United States, for the uses, interests, and purposes therein set forth. And John Penington, and Geo. W. Fairman, the subscribing witnesses to the said Indenture being duly sworn, do declare, that they were present and did see the said President, Jas. Robertson, Esq. sign the said Indenture, affix thereto the Common Seal of the said Corporation, and deliver the said Indenture as the act and deed of the said Corporation.

Witness my hand and the Common Seal of the said city this sixth day of September, in the year of our Lord one thousand eight hundred and forty one.

JNO. SWIFT, Mayor.

**Delaware and Hudson Canal and Railroad.**

This canal and railroad extends from the coal mines in the Lackawanna Valley, in Pennsylvania, to Rondout on the Hudson River, ninety-two miles above New York. The whole improvement is one hundred and twenty-three miles long.

The railroad extends from the mines in Carbondale over a mountain to Honesdale, where it terminates on the canal. It is sixteen miles long, having eight inclined planes, five of them ascending planes from the mines and worked by stationary steam engines, and three of them descending planes acting by gravity. The railroad is wholly in Pennsylvania.

The canal extends from Honesdale, in Wayne county, twenty-three miles down the Lackawaxen creek to the river Delaware; thence seventeen miles down the Delaware; and thence sixty-seven across the State of New Jersey and New York to Rondout on the Hudson river, sixty miles below Albany and ninety-two above New York. It is one hundred and seven miles in length, having locks seventy feet long and nine feet wide. Its boats can carry thirty tons.

The capital stock of the company is. . . . . \$1,500,000  
Borrowed to complete the canal and railroad.. 803,600  
Cost of the work. . . . . \$2,303,600

We understand that the company has borrowed a further sum of about \$250,000 for the purchase of boats, cars, horses and to open mines. This we believe is added to the permanent debt, making the cost of the whole improvement a little more than two millions and a half of dollars.

Of the debt of the company \$800,000 is for stock issued by the State of New York, and the other in company loans, as follows:

	Annual interest.
\$500,000—5 per cent. payable after 1846,....	\$25,000
300,000—4½ “ “ “ 1847,....	13,500
Interest on company loan last year,.....	17,040
Interest annually to be paid by company.....	\$55,540

In addition to the above interest paid by the company last year, their dividends to stockholders have been at the rate of seven per cent. per annum, and a surplus fund is accumulating towards paying off the debt.

The company was incorporated in 1823, the excavation of the canal commenced in July, 1825, and the work was finished in 1828.

The coal trade commenced in 1829, and increased as follows:

Years.	Tons.	Years.	Tons.
1829.....	7,000	1835.....	90,000
1830.....	42,000	1836.....	106,000
1831.....	54,000	1837.....	115,000
1832.....	84,500	1838.....	76,321
1833.....	111,777	1839.....	122,300
1834.....	43,700	1840.....	148,470
		Total,.....	1,002,125

The New York Express says, “we learn that the probable sales of coal by the Hudson and Delaware Company, will this year reach 200,000 tons, which at a profit of \$2 50 will yield a revenue of half a million of dollars.”

There were employed by the company in 1833, in the mines, upon the railroad, canal and wharves, eighteen hundred and sixty laborers, and three hundred and eighty-six horses. There are now employed more than three thousand laborers, and six hundred horses. In 1823, the site on which Carbondale is built, contained but one building, and Honesdale was a wilderness. They are now large and flourishing towns.—*Harrisburg Intelligencer.*

**University of North Carolina.**

In reference to the article which we have copied from the Raleigh Register, relating to the University of North Carolina, (See Register page 79,) we learn on good authority that the first graduating class, that of 1798, consisted of seven instead of six, and what is a little remarkable, three of the seven are still alive—that being an uncommon proportion of any men of the ages at which students generally graduate to be found living at the expiration of forty-three years. These are the names of the seven; Alexander Osborne, Edwin J. Osborne, Hinton James, Robert Locke, Samuel Hinton, Adam Springs and James Houston; Hinton James, Adam Springs, and James Houston, are the three yet living. Mr. James is the respected Town Clerk and Treasurer of Wilmington. Mr. Springs is a farmer in, it is believed, Mecklenburg county, and Mr. Houston, is a physician of Mecklenburg or Cabarrus. The whole class were natives of North Carolina. The surviving three may well feel gratified at the brightening glories of their Alma Mater, the first as they were to hear her maternal accents.—*Wilmington Chronicle.*

**Norwegians.**

A detachment of 100 Norwegians passed up the lake in the Missouri, a short time back. They are a swarthy, robust people, and appear capable of enduring great fatigue. They were destined for Milwaukie, and among other articles, carry with them one of their native sleighs, constructed mostly of iron, and designed for a lady and gentleman. The formation of the vehicle was peculiar, being very narrow, so as to compel the beaux to sit astride a small saddle behind the lady, instead of at her side, as is the custom of this country.—Barring this inconvenience, the Norwegian sleigh would be a rare vehicle on the lake in winter.—*Buffalo Advertiser.*

**Grape Vines.**

It is stated in the Hanover (Pa.) Herald that there are several grape vines growing in that town which are larger than the one recently noticed in a London paper, and which was pronounced the largest in the world. A vine on the premises of Mr. Winebrenner is said to be twenty feet longer than the one in London, and at the present time has no less than 4800 bunches of grapes on it, while that of London bears but 2500.

The Mercer (Pa.) Luminary gives an account of a severe hailstorm which fell upon that vicinity on the 22d inst. The wind laid waste fences, uprooted trees, &c., and the hail, which came down thick and fast, “in great cakes of ice, two and three pronged,” did much damage to buckwheat, oats and corn; and in the town it made sad havoc with the glass, breaking about two thousand lights.

**LAND LAW.**

An Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights.

*Ten per centum of proceeds of public lands to be allowed to certain States above what they were entitled to upon their admission into the Union—not to be affected by disbursements for the Cumberland road.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the thirty-first day of December, in the year of our Lord one thousand eight hundred and forty-one, there be allowed and paid to each of the States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas and Michigan, over and above what each of the said States is entitled to by the terms of the compacts entered into between them and the United States, upon their admission into the Union, the sum of ten per centum upon the nett proceeds of the sales of the public lands, which, subsequent to the day aforesaid, shall be made within the limits of each of said States respectively: *Provided,* That the sum so allowed to the said States, respectively, shall be in nowise affected or diminished on account of any sums which have been heretofore, or shall be hereafter, applied to the construction or continuance of the Cumberland road, but that the disbursements for the said road shall remain, as heretofore, chargeable on the two per centum fund provided for by compacts with several of the said States.

*After deducting the aforesaid ten per cent. &c., the residue of nett proceeds after deducting certain expenditures, to be divided among the 26 States, District of Columbia and the Territories according to the representative population under directions of Legislatures or Governors—under proviso, that future action on same subject be not controlled by this arrangement.*

Sec. 2. *And be it further enacted,* That after deducting the said ten per centum, and what, by the compacts aforesaid, has heretofore been allowed to the States aforesaid, the residue of the nett proceeds—which nett proceeds shall be ascertained by deducting from the gross proceeds all the expenditures of the year for the following objects: salaries and expenses on account of the General Land Office; expenses for surveying public lands; salaries and expenses in the surveyor general's office; salaries, commissions, and allowances to the registers and receivers; the five per centum to new States—of all the public lands of the United States, wherever situated, which shall be sold subsequent to the said thirty-first day of December, shall be divided among the twenty-six States of the Union and the District of Columbia, and the Territories of Wisconsin, Iowa and Florida, according to their respective federal representative population as ascertained by the last census, to be applied by the Legislatures of the said States to such purposes as the said Legislatures may direct: *Provided,* That the distributive share to which the District of Columbia shall be entitled, shall be applied to free schools, or education in some other form, as Congress may direct: *And provided, also,* That nothing herein contained shall be construed to the prejudice of future applications for a reduction of the price of the public lands, or to the prejudice of applications for a transfer of the public lands, on reasonable terms, to the States within which they lie, or to make such future disposition of the public lands, or any part thereof, as Congress may deem expedient.

*Quotas to such State &c., to be paid in January and July.*

Sec. 3. *And be it further enacted,* That the several sums of money received in the Treasury as the nett proceeds of the sales of the public lands shall be paid at the Treasury half yearly, on the first day of January and July in each year, during the operation of this act, to such person or persons as the respective Legislatures of the said States and Territories, or the Governors thereof in case the Legislatures shall have made no such appointment, shall authorize and direct to receive the same.

*Proceeds to be applied by the States &c. first to payment of debts to United States—with a proviso as to sums heretofore deposited with them, or revolutionary claims.*

Sec. 4. *And be it further enacted,* That any sum of money, which at any time may become due and payable to any State of the Union, or to the District of Columbia, by virtue of this act, as the portion of the said State or District of the proceeds of the sales of the public lands, shall be first applied to the payment of any debt, due and payable from the said State or District, to the United States: *Provided,* That this shall not be construed to extend to the sums deposited with the States under the act of Congress of twenty-third June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," nor to any sums apparently due to the United States as balances of debts growing out of the transactions of the Revolutionary War.

*This act to be suspended in case of war—and to extend to new States admitted into the Union.*

Sec. 5. *And be it further enacted,* That this act shall continue and be in force until otherwise provided by law, unless the United States shall become involved in war with any foreign power, in which event, from the commencement of hostilities, this act shall be suspended during the continuance of such war: *Provided, nevertheless,* That if, prior to the expiration of this act, any new State or States shall be admitted into the Union, there be assigned to such new State or States, the proportion of the proceeds accruing after their admission into the Union, to which such State or States may be entitled, upon the principles of this act, together with what such State or States may be entitled to by virtue of compacts to be made on their admission into the Union.

*Appropriation for surveys.—Minimum price of lands.—Proviso for suspension in case of duty on imports exceeding 20 per cent.*

Sec. 6. *And be it further enacted,* That there shall be annually appropriated for completing the surveys of said lands, a sum not less than one hundred and fifty thousand dollars; and the minimum price at which the public lands are now sold at private sale shall not be increased, unless Congress shall think proper to grant alternate sections along the line of any canal or other internal improvement, and at the same time to increase the minimum price of the sections reserved; and in case the same shall be increased by law, *except as aforesaid,* at any time during the operation of this act, then so much of this act as provides that the nett proceeds of the sales of the public lands shall be distributed among the several States shall, from and after the increase of the minimum price thereof, cease and become utterly null and of no effect, anything in this act to the contrary notwithstanding: *Provided,* That if, at any time during the existence of this act, there shall be an imposition of duties on imports inconsistent with the provisions of the act of March second, one thousand eight hundred and thirty-three, entitled "An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," and beyond the rate of duty fixed by that act, to wit, twenty per cent. on the value of such imports, or any of them, then the distribution provided in this act shall be suspended, and shall so continue until this cause of its suspension shall be removed; and when removed, if not prevented by other provisions of this act, such distribution shall be resumed.

*Land offices and districts may be continued in certain cases.*

Sec. 7. *And be it further enacted,* That the Secretary of the Treasury may continue any land district in which is situated the seat of Government of any one of the States, and may continue the land office in such district, notwithstanding the quantity of land unsold in such district may not amount to one hundred thousand acres, when, in his opinion, such continuance may be required by public convenience

or in order to close the land system in such State at a convenient point, under the provisions of the act on that subject, approved twelfth June, one thousand eight hundred and forty.

*500,000 acres for purposes of internal improvements in States named in first section—with proviso respecting previous allotments—how and where lands are to be selected—and States hereafter admitted to have the same quantity.*

Sec. 8. *And be it further enacted*, That there shall be granted to each State specified in the first section of this act, five hundred thousand acres of land for purposes of internal improvement: *Provided*, That to each of the said States which has already received grants for said purposes there is hereby granted no more than a quantity of land which shall, together with the amount such State has already received as aforesaid, make five hundred thousand acres; the selections in all of the said States to be made within their limits respectively in such manner as the Legislatures thereof shall direct; and located in parcels, conformably to sectional divisions and sub-divisions, of not less than three hundred and twenty acres in one location, on any public land except such as is or may be reserved from sale by any law of Congress or proclamation of the President of the United States, which said locations may be made at any time after the lands of the United States in said States respectively shall have been surveyed, according to existing laws. And there shall be and hereby is granted to each new State that shall be hereafter admitted into the Union, upon such admission, so much land as, including such quantity as may have been granted to such State before its admission, and while under a Territorial Government, for purposes of internal improvement as aforesaid, shall make five hundred thousand acres of land, to be selected and located as aforesaid.

*No lands granted to States to be sold at less than \$1 25 unless otherwise ordered by Congress—nett proceeds to be faithfully applied to certain objects by the States—mails and troops to pass without toll on roads, canals, &c.*

Sec. 9. *And be it further enacted*, That the lands therein granted to the States above named shall not be disposed of at a price less than one dollar and twenty-five cents per acre, until otherwise authorized by a law of the United States; and the nett proceeds of the sales of said lands shall be faithfully applied to objects of internal improvement within the States aforesaid respectively, namely: Roads, railways, bridges, canals and improvement of water-courses, and draining of swamps; and such roads, railways, canals, bridges and water-courses, when made or improved, shall be free for the transportation of the United States mail, and munitions of war, and for the passage of their troops, without the payment of any toll whatever.

*Right of pre-emption in favor of actual settlers being citizens or foreigners, who have declared their intention in certain cases—proof how to be made—fees to register and receiver—oath to be taken that applicant is not excluded from any of the provisions of this act.*

Sec. 10. *And be it further enacted*, That from and after the passage of this act every person, being the head of a family, or widow, or single man, over the age of twenty-one years, and being a citizen of the United States, or having filed his declaration of intention to become a citizen, as required by the naturalization laws, who, since the first day of June, A. D. eighteen hundred and forty, has made, or shall hereafter make a settlement in person on the public lands to which the Indian title had been, at the time of such settlement, extinguished, and which has been, or shall have been surveyed prior thereto, and who shall inhabit and improve the same, and who has or shall erect a dwelling thereon, shall be, and is hereby, authorized to enter with the register of the land office for the district in which such land may lie, by legal sub-divisions, any number of acres not exceeding one hundred and sixty, or a quarter section of land, to include the residence of such claimant, upon paying to the

United States the minimum price of such land, subject, however, to the following limitations and exceptions: No person shall be entitled to more than one pre-emptive right by virtue of this act; no person who is the proprietor of three hundred and twenty acres of land in any State or Territory of the United States, and no person who shall quit or abandon his residence on his own land to reside on the public land in the same State or Territory, shall acquire any right of pre-emption under this act; no lands included in any reservation, by any treaty, law or proclamation of the President of the United States, or reserved for salines, or for other purposes; no lands reserved for the support of schools, nor the lands acquired by either of the two last treaties with the Miami tribe of Indians in the State of Indiana, or which may be acquired of the Wyandot tribe of Indians in the State of Ohio, or other Indian reservation to which the title has been or may be extinguished by the United States at any time during the operation of this act; no sections of land reserved to the United States alternate to other sections granted to any of the States for the construction of any canal, railroad, or other public improvement; no sections or fractions of sections included within the limits of any incorporated town; no portions of the public lands which have been selected as the site for a city or town; no parcel or lot of land actually settled and occupied for the purposes of trade and not agriculture; and no lands on which are situated any known salines or mines, shall be liable to entry under and by virtue of the provisions of this act. And so much of the proviso of the act of twenty-second of June, eighteen hundred and thirty-eight, or any order of the President of the United States, as directs certain reservations to be made in favor of certain claims under the treaty of Dancing Rabbit creek be, and the same is hereby, repealed: *Provided*, That such repeal shall not affect any title to any tract of land secured in virtue of said treaty.

Sec. 11. *And be it further enacted*, That when two or more persons shall have settled on the same quarter section of land, the right of pre-emption shall be in him or her, who made the first settlement, provided such persons shall conform to the other provisions of this act; and all questions as to the right of pre-emption arising between different settlers shall be settled by the register and receiver of the district within which the land is situated, subject to an appeal to and a revision by the Secretary of the Treasury of the United States.

Sec. 12. *And be it further enacted*, That prior to any entries being made under and by virtue of the provisions of this act, proof of the settlement and improvement thereby required shall be made to the satisfaction of the register and receiver of the land district in which such lands may lie, agreeably to such rules as shall be prescribed by the Secretary of the Treasury, who shall each be entitled to receive fifty cents from each applicant for his services to be rendered as aforesaid; and all assignments and transfers of the right hereby secured prior to the issuing of the patent shall be null and void.

Sec. 13. *And be it further enacted*, That before any person claiming the benefit of this act shall be allowed to enter such lands, he or she shall make oath before the receiver or register of the land district in which the land is situated (who are hereby authorized to administer the same) that he or she has never had the benefit of any right of pre-emption under this act; that he or she is not the owner of three hundred and twenty acres of land in any State or Territory of the United States, nor hath he or she settled upon and improved said land to sell the same on speculation, but in good faith to appropriate it to his or her own exclusive use or benefit; and that he or she has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whatsoever, by which the title which he or she might acquire from the Government of the United States should enure, in whole or in part, to the benefit of any person except himself or herself; and if any person taking such oath shall swear falsely in the premises, he or she shall be subject to all the pains and penalties of perjury, and shall forfeit the money which he or she may have paid for said land, and all right and title to the same; and any grant or



conveyance which he or she may have made, except in the hands of bona fide purchasers, for a valuable consideration, shall be null and void. And it shall be the duty of the officer administering such oath to file a certificate thereof in the public land office of such district, and to transmit a duplicate copy to the General Land Office, either of which shall be good and sufficient evidence that such oath was administered according to law.

*Sales already announced not to be postponed by this act.*

Sec. 14. *And be it further enacted*, That this act shall not delay the sale of any of the public lands of the United States beyond the time which has been, or may be, appointed by the proclamation of the President, nor shall the provisions of this act be available to any person or persons who shall fail to make the proof and payment, and file the affidavit required before the day appointed for the commencement of the sales as aforesaid.

*Notice of intention of purchase by settlers.*

Sec. 15. *And be it further enacted*, That whenever any person has settled or shall settle and improve a tract of land, subject at the time of settlement to private entry, and shall intend to purchase the same under the provisions of this act, such person shall in the first case, within three months after the passage of the same, and in the last within thirty days next after the date of such settlement, file with the register of the proper district a written statement describing the land settled upon, and declaring the intention of such person to claim the same under the provisions of this act; and shall, where such settlement is already made, within twelve months after the passage of this act, and where it shall hereafter be made, within the same period after the date of such settlement, make the proof, affidavit, and payment herein required; and if he or she shall fail to file such written statement as aforesaid, or shall fail to make such affidavit, proof, and payment within the twelve months aforesaid, the tract of land so settled and improved shall be subject to the entry of any other purchaser.

*Relinquishment of 2 per cent. on lands sold or to be sold in Mississippi, on certain conditions.*

Sec. 16. *And be it further enacted*, That the two per cent. of the nett proceeds of the lands sold, or that may hereafter be sold by the United States in the State of Mississippi, since the first day of December, one thousand eight hundred and seventeen, and by the act entitled "An act to enable the People of the western part of the Mississippi Territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," and all acts supplemental thereto, reserved for the making of a road or roads leading to said State, be, and the same is hereby, relinquished to the State of Mississippi, payable in two equal instalments; the first to be paid on the first of May, one thousand eight hundred and forty-two, and the other on the first of May, one thousand eight hundred and forty-three, so far as the same may then have accrued, and quarterly, as the same may accrue after said period: *Provided*, That the Legislature of said State shall pass an act, declaring their acceptance of said relinquishment in full of said fund, accrued and accruing, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied to the construction of a railroad, leading from Brandon, in the State of Mississippi, to the eastern boundary of said State, in the direction, as near as may be, of the towns of Selma, Cahaba and Montgomery, in the State of Alabama.

*The same in Alabama.*

Sec. 17. *And be it further enacted*, That the two per cent. of the nett proceeds of the lands sold by the United States, in the State of Alabama, since the first day of September, one thousand eight hundred and nineteen, and reserved by the act entitled "An act to enable the People of the Alabama Territory to form a Constitution and State Government, and for the admission of such State into the Union

on an equal footing with the original States," for making of a road or roads leading to the said State, be, and the same is hereby, relinquished to the said State of Alabama, payable in two equal instalments, the first to be paid on the first day of May, one thousand eight hundred and forty-two, and the other on the first day of May, one thousand eight hundred and forty-three, so far as the same has accrued, and quarterly, as the same may hereafter accrue: *Provided*, That the Legislature of said State shall first pass an act declaring their acceptance of said relinquishment, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied, under the direction of the Legislature of Alabama, to the connexion, by some means of internal improvement, of the navigable waters of the bay of Mobile with the Tennessee river, and to the construction of a continuous line of internal improvements from a point on the Chattahoochee river, opposite West Point, in Georgia, across the State of Alabama, in a direction to Jackson, in the State of Mississippi.

JOHN WHITE,

*Speaker of the House of Representatives.*

SAM'L L. SOUTHARD,

*President of the Senate pro tempore.*

Approved, September 4, 1841.

JOHN TYLER.

#### A Hard Case.

The Rochester Democrat states that Mr. Elijah Shaw, aged 70 years, who fought the battles of his country against three nations, is now in the poor house within two miles of Rochester. He was on board the Constellation when she captured the French frigate L'Insurgent in 1800. In 1803 he was on board of the frigate Philadelphia, at the time of her capture off the harbor of Tripoli, and suffered nine months imprisonment. He was on board the frigate United States when she captured the Macedonian, and the President, at the time of her capture by a British squadron. After the peace, he sailed under Commodore Decatur up the Mediterranean, to chastise the Barbary powers. This being done, he sailed with Commodore Porter in the squadron that so effectually destroyed a gang of lawless pirates.

#### Licensing and Retailing in Old Times.

It will be seen by the following votes of the Legislature of this State, passed in the year 1654, and which we have copied from the records now in the office of the Secretary of State, that the business of selling ardent spirits was very early made a matter of legislation by our forefathers—and it is believed that no one was found at that time having sufficient hardihood to doubt the propriety of the law, to question its constitutionality, or refuse obedience to its provisions.—*Hartford Courant*.

#### General Court, 1654.

*It is ordered by this Court*, That it shall not be lawful for any person whatsoever within these liberties, directly or indirectly to sell, lend, barter or give to any Indian whatsoever, small or great, one or other, any wine, liquors, beer, cider or metheglin, or any sort or kind whatsoever, except it be their ordinary household beer, for which they shall have no recompense—upon the former, penalty of £5 for every pint, and 40 shillings for the least quantity.

*It is further ordered by this Court*, That it shall not be lawful for any persons what-over to draw any wine, strong water of any sort or kind, strong beer or cider, and sell it out by retail to any person whatsoever, except such persons in each town as are licensed so to do from the Court.

The average amount of property destroyed by fire in New Haven for the last twelve years, is only \$2,477. Population, 15,000.



Pennsylvania and New York.

From the year 1790 until 1830 every Census exhibited the Congressional representation of New York increasing in the proportion which it bore to that of Pennsylvania, owing to the more rapid increase of population, as shown in the following tables :

	New York.	Increase, 10 years.	Pennsylvania.	Increase, 10 years.
1790	340,000		434,000	
1800	586,000	72 per ct.	602,000	38 per ct.
1810	959,000	63 "	810,000	34 "
1820	1,372,000	43 "	1,049,000	29 "
1830	1,918,000	40 "	1,348,000	23 "

From this we see that while in 1790 Pennsylvania exceeded N. Y. nearly 160,000; in 1830, the latter exceeded the former nearly 600,000, and from its great population and rapid progress assumed the title of the Empire State.

The recent Census furnishes us with the gratifying fact that the tables have turned, and that the rate of increase of Pennsylvania in the last ten years exceeds that of New York, as is here shown :

	New York.	Increase,	Pennsylvania.	Increase.
1840	2,428,000	26½ pr. ct.	1,724,000	28 pr. ct.

The growth of Pennsylvania from 1820 to 1830 was 323,000, whereas from 1830 to 1840 it has been 376,000 showing an increase of 53,000, whereas that of New York has fallen from 546,000 to 510,000.

Throughout the world the land first occupied is that which yields food most readily in return to labor, while that which yields coal and iron is always avoided, because of its comparative sterility. The South of England was in former times the seat of empire, but with the growth of population and of capital, it has gradually passed to the North, and the Reform Bill deprived numerous towns and boroughs in the South of their representation, because of their decayed condition, for the purpose of transferring it to those of the North, which had sprung up in and near that great coal region. So long as it was not necessary to pass the mountains, Pennsylvania grew more rapidly than New York, but when the Eastern counties became tolerably settled, the superior advantages of New York for cultivation attracted emigration thither, and her numbers increased with great rapidity. With the growth of the population and capital of Pennsylvania numerous canals and railroads have enabled her citizens to bring into activity her great mineral resources, and a counter-action has commenced. The ratio of her increase is now greater than that of any Atlantic State except Georgia, and we think we hazard little in asserting that the next, probably all future censuses will show a higher ratio of increase than will be shown by any Atlantic State whatever. No State in the Union possesses the same amount of mineral wealth—none can yield larger returns to labor and capital.

We have wasted a large amount of both in the construction of roads and canals, some of which are useless, and all of which have cost far more than they should have done : but great as is the amount of debt that has thus been fastened upon us, we are strongly disposed to believe, that if proper economy be used in future, the public faith may be maintained, while the taxation will bear to the amount of production almost as small a proportion as in any State of the Union. Common sense and common honesty will carry us through triumphantly, and a few years hence we shall all look back with a feeling of surprise that any doubt could have been entertained of either the ability or the disposition of this State to pay both principal and interest of a debt amounting to *about one-eighth of the yearly revenue* of the French Government—a revenue contributed by a people, nearly three-fourths of whom are compelled to live upon six cents a day. We shall all then be disposed to believe that, although the advantageous situation of New York has, up to this time enabled her to take the lead in the Union, Pennsylvania must ultimately contain the largest population and be the wealthiest State—and we hope our successors at some future time may be able to add—the most enlightened State in the Union.—*National Gazette.*

Trade of the United States with Great Britain.

But few persons, not familiar with the subject, are aware of the immense amount of trade which is every year carried on between this country and Great Britain—and which is clearly exhibited in the following table, which also shows that this country takes from Great Britain in manufactures, on an average of years, the whole value of the produce exported to that country.

YEARS.	Value (in Dollars) of IMPORTS into G. Britain and Ireland from the U. States.	Value (in Dollars) of EXPORTS from G. B. and Ireland to the United States.
1831	.....26,329,352.....	.....24,539,214.....
1832	.....30,810,995.....	.....36,921,265.....
1833	.....32,363,450.....	.....37,845,824.....
1834	.....44,212,097.....	.....47,242,807.....
1835	.....52,180,977.....	.....61,249,527.....
1836	.....57,875,213.....	.....78,645,968.....
1837	.....54,683,797.....	.....44,886,943.....
1838	.....52,176,610.....	.....44,861,973.....
1839	.....59,896,212.....	.....65,964,588.....

[*Boston Mercantile Journal.*

Cuba.

Statement of the Vessels which entered at Havana, in 1840.

Number.	Tons.	Nation.	Value cargoes.
884	164,880	American	
87	15,520	British	
539	70,123	Spanish	\$7,000,000
14	2,082	Dutch	
15	3,204	Belgian	
29	5,080	French	
21	4,460	Hamburg	
31	5,637	Bremen	
17	5,035	Danish	
16	3,411	Others	
1653	278,432		

[*Public Ledger.*

OBITUARY.

On the 1st inst. near Georgetown, the venerable JOSEPH NOURSE, in the 88th year of his age.

The name of Joseph Nourse is familiar to us all, and has been justly associated with that of Charles Thompson in the minds and memories of those who lived and served during the trying period of the Revolution.

Mr. N. was born in London in the year 1754 ; he emigrated with his father's family to this country in 1769, and settled in the lower part of Virginia. In 1776, he entered the Army, and served in it and in different departments connected with it until the close of the war ; from which time he continued in the civil department of the Government until its re-organization in 1789, when he was appointed by General Washington to the office of Register of the Treasury, in which he afforded great assistance to Secretary Hamilton in arranging the details of his system of revenue and finance. In this office Mr. N. was continued, giving by his faithful and laborious services the most entire satisfaction to every administration of the Government, until 1829.

London and Cincinnati.

*London*,—with a population of 1,650,000 has nine daily newspapers, which circulate 45,000 copies.

*Paris*,—with a population of 900,000, has 20 daily papers, whose average sale is 90,000.

*Cincinnati*,—with a population of 50,000, has ten daily papers, with a circulation of say 5000, all told. Cincinnati has one more daily newspaper than London, with a population 33 times greater—yet the nine London papers circulate 40,000 copies more than the ten in Cincinnati.

[*Cincinnati Gaz.*

## MESSAGE

FROM THE PRESIDENT OF THE UNITED STATES,

*Returning with his objections, the Bill to provide for the better collection, safe-keeping and disbursement of the public revenue, by means of a Corporation, to be styled the "Fiscal Corporation of the United States." September 9, 1841.*

*To the House of Representatives of the United States:*

It is with extreme regret that I feel myself constrained, by the duty faithfully to execute the office of President of the United States, and to the best of my ability to preserve, protect and defend the Constitution of the United States, to return to that House in which it originated, the bill "to provide for the collection, safe-keeping and disbursement of the public revenue, by means of a corporation to be styled the Fiscal Corporation of the United States," with my written objections.

In my message sent to the Senate on the 16th day of August last, returning the bill "to incorporate the subscribers to the Fiscal Bank of the United States, I distinctly declared that my own opinion had been uniformly proclaimed to be against the exercise 'of the power of Congress to create a National Bank to operate *per se* over the Union ;' and entertaining that opinion, my main objection to that bill was based upon the highest moral and religious obligations of conscience and the Constitution. I readily admit, that whilst the qualified *veto* with which the Chief Magistrate is invested, should be regarded, and was intended by the wise men who made it a part of the Constitution, as a great conservative principle of our system, without the exercise of which, on important occasions, a mere representative majority may urge the Government in its legislation beyond the limits fixed by its framers, or might exert its just powers too hastily or oppressively ; yet, it is a power which ought to be most cautiously exerted, and perhaps never, except in a case imminently involving the public interest, or one in which the oath of the President, acting under his convictions, both mental and moral, imperiously requires its exercise. In such a case he has no alternative.

He must either exert the negative power intrusted to him by the Constitution, chiefly for its own preservation, protection, and defence, or commit an act of gross moral turpitude. Mere regard to the will of a majority must not, in a constitutional republic like ours, control this sacred and solemn duty of a sworn officer. The Constitution itself, I regard and cherish, as the embodied and written will of the whole people of the United States. It is their fixed and fundamental law, which they unanimously prescribe to the public functionaries—their mere trustees and servants. This, their will, and the law which they have given us as the rule of our action, has no guard, no guarantee of preservation, protection, and defence, but the oath which it prescribes to public officers, the sanctity with which they shall religiously observe the oaths, and the patriotism with which the people shall shield it by their sovereign will, which has made the Constitution supreme. It must be exerted against the will of a mere representative majority, or not at all. It is alone in pursuance of that will that any measure can ever reach the President ; and to say that because a majority in Congress have passed a bill the President should therefore sanction it, is to abrogate the power altogether, and to render its insertion in the Constitution a work of absolute supererogation. The duty is to guard the fundamental will of the people themselves from (in this case I admit unintentional) change or infraction by a majority in Congress. And in that light alone, do I regard the constitutional duty which I now most reluctantly discharge.

Is this bill, now presented for my approval or disapproval, such a bill as I have already declared could not receive my sanction ? Is it such a bill as calls for the exercise of the negative power under the Constitution ? Does it violate the Constitution, by creating a National Bank, to operate *per se* over the Union ? Its title, in the first place, describes its general character. It is "An act to provide for the better collection, safe-keeping and disbursement of the public re-

venue," by means of a corporation, to be styled the *Fiscal Corporation of the United States*. In style, then, it is plainly national in its character. Its powers, functions and duties, are those which pertain to the *collecting, keeping and disbursing the public revenue*. The means by which these are to be exerted is a corporation, to be styled the *Fiscal Corporation of the United States*. It is a corporation created by the Congress of the United States, in the character of a National Legislature for the whole Union, to perform the *fiscal* purposes, meet the *fiscal* wants and exigencies, supply the *fiscal* uses, and exert the *fiscal* agencies of the Treasury of the United States. Such is its own description of itself. Do its provisions contradict its title ? They do not. It is true, that by its first section, it provides that it shall be established in the District of Columbia, but the amount of its capital—the manner in which its stock is to be subscribed for and held—the persons, bodies, corporate and politic, by whom its stock may be held—the appointment of its directors, and their powers and duties—its fundamental articles, especially that to establish agencies in any part of the Union—the corporate powers and business of such agencies—the prohibition of Congress to establish any other corporation with similar powers for twenty years, with express reservation in the same clause, to modify or create any bank for the District of Columbia, so that the aggregate capital shall not exceed five millions ; without enumerating other features which are equally distinctive and characteristic, clearly show that it cannot be regarded as other than a Bank of the United States, with powers seemingly more limited than have heretofore been granted to such an institution. It operates *per se* over the Union, by virtue of the unaided, and, in my view, assumed authority of Congress as a National Legislature, as distinguished from a bank created by Congress for the District of Columbia, as the local Legislature of the District. Every United States Bank heretofore created has had the power to deal in bills of exchange, as well as in local discounts. Both were trading privileges conferred, and both exercised, by virtue of the aforesaid power of Congress, over the whole Union. The question of power remains unchanged, without reference to the extent of privilege granted. If this proposed Corporation is to be regarded as a local bank of the District of Columbia, invested by Congress with general powers to operate over the Union, it is obnoxious to still stronger objections. It assumes that Congress may invest a local institution with general, or national powers.—With the same propriety that it may do this in regard to a bank of the District of Columbia, it may as to a State bank. Yet who can indulge the idea that this Government can rightfully, by making a State bank its fiscal agent, invest it with the absolute and unqualified powers conferred by this bill ? When I come to look at the details of the bill, they do not recommend it strongly to my adoption. A brief notice of some of its provisions will suffice.

First. It may justify substantially a system of discounts of the most objectionable character. It is to deal in bills of exchange drawn in one State and payable in another, without any restraint. The bill of exchange may have an unlimited time to run, and its renewability is nowhere guarded against. It may, in fact, assume the most objectionable form of accommodation paper. It is not required to rest on any actual, real, or substantial exchange basis ; a drawer in one place becomes the acceptor in another, and so on in turn the acceptor may become the drawer, upon a mutual understanding. It may, at the same time, indulge in mere local discount under the name of bills of exchange. A bill drawn at Philadelphia on Camden, New Jersey ; at New York on a border town in New Jersey ; at Cincinnati on Newport, Kentucky, not to multiply other examples, might, for anything in this bill to restrain it, become a mere matter of local accommodation. Cities thus relatively situated would possess advantages over cities otherwise situated, of so decided a character as most justly to excite dissatisfaction.

2d. There is no limit prescribed to the premium in the purchase of bills of exchange ; thereby correcting none of the evils under which the community now labors, and operating most injuriously upon the agricultural States, in which the inequality in the rates of exchange are most severely felt.—

Nor are these the only consequences. A resumption of specie payments by the banks of these States, would be liable to indefinite postponement; for as the operation of the agencies of the interior would chiefly consist in selling bills of exchange, and the purchases could only be made in specie, or in notes of banks paying specie, the State banks would either have to continue with their doors closed, or exist at the mercy of this national monopoly of brokerage. Nor can it be passed over without remark, that whilst the District of Columbia is made the seat of the principal bank, its citizens are excluded from all participation in any benefit it might afford, by a positive prohibition of the bank from all discounting within the District.

These are some of the objections which prominently exist against the details of the bill; others might be urged, of much force, but it would be unprofitable to dwell upon them: suffice it to add, that this charter is designed to continue for twenty years, without a competitor; that the defects to which I have alluded being founded on the fundamental law of the Corporation, are irrevocable; and that if the objections be well founded, it would be over hazardous to pass the bill into a law.

In conclusion, I take leave most respectfully to say, that I have felt the most anxious solicitude to meet the wishes of Congress in the adoption of a Fiscal Agent, which, avoiding all constitutional objections, should harmonise conflicting opinions. Actuated, by this feeling, I have been ready to yield much, in a spirit of conciliation, to the opinions of others; and it is with great pain that I now feel compelled to differ from Congress a second time in the same session. At the commencement of this session, inclined from choice to defer to the legislative will, I submitted to Congress the propriety of adopting a Fiscal Agent which, without violating the Constitution, would separate the public moneys from the Executive control, perform the operations of the Treasury, without being burdensome to the people, or inconvenient, or expensive to the Government. It is deeply to be regretted that this Department of the Government cannot, upon constitutional and other grounds, concur with the Legislative Department in this last measure proposed to attain these desirable objects. Owing to the brief space between the period of the death of my lamented predecessor, and my own installation into office, I was, in fact, not left time to prepare and submit a definite recommendation of my own regular message; and since, my mind has been wholly occupied in a most anxious attempt to conform my action to the Legislative will. In this communication, I am confined by the Constitution to my objections, simply to this bill, but the period of the regular session will soon arrive, when it will be my duty under another clause of the Constitution "to give to Congress information of the state of the Union, and recommend to their consideration such measures as 'I shall judge necessary and expedient.'" And I most respectfully submit in a spirit of harmony, whether the present differences of opinion should be pressed further at this time, and whether the peculiarity of my situation does not entitle me to a postponement of this subject to a more auspicious period for deliberation.

The two Houses of Congress have distinguished themselves at this extraordinary session, by the performance of an immense mass of labor at a season very unfavorable both to health and action, and have passed many laws which I trust will prove highly beneficial to the interest of the country, and fully answer its just expectations. It has been my good fortune and pleasure to concur with them in all measures, except this, and why should our difference on this alone be pushed to extremes? It is my anxious desire that they should not be. I, too, have been burdened with extraordinary labors of late, and I sincerely desire time for deep and deliberate reflection on this, the greatest difficulty of my administration. May we not now pause, until a more favorable time, when, with the most anxious hope that the Executive and Congress may cordially unite, some measure of finance may be deliberately adopted, promotive of the good of our common country.

I will take this occasion to declare, that the conclusions to which I have brought myself are those of a settled conviction,

founded in my opinion, on a just view of the Constitution, that, in arriving at it, I have been actuated by no other motive or desire than to uphold the institutions of the country as they have come down to us from the hands of our god-like ancestors; and that I shall esteem my efforts to sustain them, even though I perish, more honorable than to win the applause of men, by a sacrifice of my duty and my conscience.

JOHN TYLER.

WASHINGTON, September 9, 1841.

### North-Eastern Boundary.

OFFICIAL.

CAMP NORTH-EASTERN BOUNDARY, }  
September 2, 1841. }

HON. DANIEL WEBSTER,

*Secretary of State, Washington.*

Sir:—My attention having very recently been brought to several notices, in the newspapers of the United States, of a statement contained in the Woodstock (New Brunswick) Telegraph of the 14th ultimo, in reference to the surveys and explorations now progressing by order of the Government of the United States, under my immediate direction, for the purpose of acquiring information connected with that portion of the boundary in dispute between the United States and Great Britain which is included between the monument at the source of the St. Croix and the Highlands described in the treaty of 1783, I deem it proper to inform the Department of State that, so far as I have any knowledge, the article in question is erroneous in its most important statements.

Neither myself nor any of my officers had received any intimation of the existence of an excitement in the vicinity of our operations, arising from our proceedings, until we saw the matter alluded to in the newspapers of our own country, nor has violence ever been offered in opposition to them.—On the contrary, we have generally met with civil treatment from Her Britannic Majesty's subjects residing near the line of exploration, and the same disposition has always been manifested towards them in return.

It is not true that we are making the line "United States boundary line," as has been stated. The survey, being ordered solely for the purpose of acquiring information, is limited to that object, and the principal stations, where it has been necessary to mark them in order that they may hereafter be identified, have been designated by the words "U. S. ex parte survey," with the date added.

Neither the question of jurisdiction, nor that allegiance on the part of the inhabitants heretofore supposed to be residents of the province of New Brunswick, has ever been interfered with by myself or any of my party, so far as I have any knowledge. Our operations have been confined to the objects pointed out in my instructions from the Department, and I have no reason whatever to apprehend that obstacles will be thrown in the way of their fulfilment.

I have the honor to be, sir, very respectfully, your obedient servant.

J. D. GRAHAM,

*United States Commissioner.*

### Kickapoo.

A sale of lots in the town of Kickapoo, 12 miles north-west of Peoria, on the Charleston road, took place on Saturday last. Twenty were disposed of, at prices ranging generally from 15 to 20 dollars. A corner lot fronting upon the public square brought \$40, being the highest price, and one or two were knocked off at \$7 50. The whole amount of sales was about 400 dollars, all the purchasers living in the neighborhood. The lots are 60 by 171, twelve to a block. Some half dozen houses have been put up during the past year, and preparations are making for building as many more. It is not improbable that in a year or two this will be the second town in size in the county.—*Peoria (Ill.) Register.*

### Schuylkill County Engines—Potts & Bannan's Colliery.

Schuylkill county is fast acquiring a high character, both at home and abroad, for the great beauty of its steam engines. The machinists of Pottsville are not to be surpassed by any in the country for ingenuity and skill; and their work will bear the most critical examination. The steam engine lately erected by Pomroy & Maginnis, for Potts and Bannan's Colliery, is decidedly one of the best in the State. It is the largest that has yet been erected in the Pottsville Coal Basin. The steam cylinder is 14 inches in diameter, four feet stroke, and six boilers, 30 inches in diameter and 20 feet long. The engine is so arranged, that with the use of only one eccentric, she reverses and works either way, with the eccentric hook on the same shackle pin. This is the first engine constructed with this new and highly valuable improvement, and the inventors, Messrs. Pomroy & Maginnis, deserve great credit for overcoming what has hitherto been deemed by practical engineers an insurmountable difficulty. The engine works a double pump of ten inch working barrels, and 400 feet of twelve inch pipes. The arrangement of the buckets is of a novel character, the buckets being entirely metallic; but as the plan of it is the property of the inventors we are unable to give a description of it. The engine and pump have been in operation upwards of one month, and work to the entire satisfaction of both makers and owners. The pump throws a constant volume of water by the use of the double working barrels, and is geared to work from the second motion of the engine. The same enterprising firm is also erecting on Mr. Charles Lawton's celebrated Gate Vein, an engine for pumping water and hoisting coal; the whole machinery being from the same patterns as described above. We also learn that the Delaware Coal Company have given an order to the same establishment for a larger class engine: the steam cylinder to be 18 inches in diameter, 6 feet stroke, six boilers of the usual size, &c. &c.

The Colliery of Potts & Bannan's is one of the most interesting of the kind in the region; and will well repay the trouble, and we might add, the *fatigues* of a visit. The Colliery is better known as the Guinea Hill or black Mine, and is one of the deepest in our coal basin. The depth of the slope is four hundred feet, which, at an inclination of 40 degrees, would give a perpendicular depth of two hundred and fifty-two feet into the very bowels of the earth. The pitch of the vein, as soon as it loses the influence of the hill, is very regular, and the coal becomes of a purer and better quality, and is found in greater masses between the slates. The Colliery is worked with two steam engines; one of fifty horse power and the other of twenty. The former is used in pumping the water which accumulates in the mines, and the latter in hoisting the coal in cars to the mouth of the slope. The pump used in the Colliery is manufactured of cast iron, is twelve inches in diameter, and extend the entire depth of the slope—four hundred feet. The pump is worked by two 10½ inch working barrels, which connect with the main pump barrel by goose necks; and throws a constant stream of water, the invention, we understand, of Mr. Charles Potts. The column of water brought up by the engine, at each lift of the pump, is equal in weight to about eight and a half tons.

At the depth of two hundred feet of this slope, a tunnel has been driven 90 yards south to the tunnel vein, and 70 yards north to the Lawton vein, both through solid rock, which enables the proprietors to work *three veins* with the present engines and fixtures. As the visiter leaves the slope and finds himself, lantern in hand, groping his way through the gangway into the heart of the mine, he is half bewildered and startled, as the almost indistinct masses of coal, slate, dirt, &c. fashion themselves into something bordering upon a dark, dusky, and even forbidding outline. It seems as if you had fallen upon a subterranean city, buried by some great convulsion of nature; and the illusion is still further heightened by observing workmen busily engaged apparently in excavating the ruins. Or, if you are highly imaginative, and having read the Odyssey, you might readily fancy the feelings of Ulysses, that "god-like and much enduring man," when he paid a visit to the infernal shades, for the

purpose of ascertaining the shortest and most direct cut to his beloved Ithaca. Homer, however, does not inform us whether or not the shades carried lamps in their caps, without which the pick would be of little use to our miners.

A considerable outlay of money has already been made in this Colliery on what may be termed improvements. The steam engines, pumps, sinking of slope, &c., to prepare the mines for working, have cost upwards of \$18,000; and the cars, schutes, skreens, &c., including a railroad about one-fourth of a mile in extent through the borough, say \$15,000 more; making in all an outlay of \$33,000. Upwards of 16,000 tons of coal have been got out of the Black Mine in one season; but at least 20,000 tons could now be procured in one year, from the present workings, if a demand for coal together with good prices would justify the employment of a sufficient force for that purpose.

It is the intention of the proprietors to sink the present slope an additional hundred feet; at the bottom of which a tunnel will be driven 90 yards south, through solid rock, to the Tunnel vein, which will be worked from the same shaft as in the level above.—*Pottsville Journal*.

### California Wheat.

The grain of this article was brought by a trader from Middle California, 34 or 35 degrees north latitude, where it grows luxuriantly and yields abundantly a superior article of flour. It was obtained and introduced by Major Thomas P. Spierin, who was in the north-west, in the employ of the United States as Indian Agent. This wheat has been sown in Abbeville District, South Carolina, latitude 34° 10' N. The crop of this year, 1841, is superior to that of last year, 1840, in the size of the heads, superior product, and fulness of the grain. Experienced farmers, who have seen the wheat grow, assert that on proper wheat land, well prepared, eighty bushels can be raised on an acre. Its yield is astonishing, from the fact of one grain producing thirty to forty stalks each, having a full head, which contains from one hundred to two hundred grains. The best head of our common wheat will only shell out from sixty to eighty grains. Another advantage is, that this wheat is not so subject to disease as other kinds of wheat, and will withstand high winds and storms. It also grows and matures well westwardly in the 39th degree of north latitude. We consider it to be a superior kind of wheat, and a great acquisition to the agricultural community; and we hope it may at least have a fair trial, when it will prove itself all what its most sanguine friends have said or thought it would be.

The above is the strong recommendation of this wheat, by several gentlemen of Abbeville, distinguished as farmers and for their respectability.

*Augusta (Ga.) Constitutionalist.*

### Ship Montezuma.

This favorite ship, (formerly a Liverpool packet in the Messrs. Copes' line,) has been sold for a whaler, and has sailed for New London, where she now belongs. The M. is of 434 tons burthen, and is one of the most substantial ships of her age that belong to Philadelphia; she was built by Mr. Robert Burton, some nineteen years since, and in her day was a "crack" ship. We learn that she was sold for 15,000 dollars.

*Ship Peruvian.*—The ship Peruvian, late of Philadelphia, that cleared at Baltimore recently for New London, was also sold for a whaler.

### Tahiti.

Aggregate returns of American commerce which had visited the Island of Tahiti, during the year 1840. Ships arriving off and on, not included.

Number of ships .....	79
Seamen employed .....	1,985
Tonnage .....	26,795



COMMERCE OF NEW ORLEANS.

In the last number of Levy's Price Current we find the usual interesting annual tables of the commerce of that place. By request of the merchants these tables are now made out for the year ending September 1st, instead of October 1st, as were those which were inserted in Vol. I. page 278, and Vol. III. page 264. For the sake of future comparison, we therefore copy them entire for the years from September 1, to August 31st.

Imports from the interior into New Orleans, for ten years—from 1st September to 31st August, in each year.

ARTICLES.	1840-41.	1839-40.	1838-39.	1837-38.	1836-37.	1835-36.	1834-35.	1833-34.	1832-33.	1831-32.
Apples .....	27,244	24,387	6,724	27,561	18,850	23,315	2,359	10,469	14,954	11,530
Apple Brandy .....	4	.....	.....	.....	.....	44	7	50	.....	51
Bacon assorted .....	11,120	7,197	13,533	11,541	7,774	7,099	8,911	5,051	4,251	4,881
Bacon Hams .....	111	153	215	174	357	375	774	524	215	370
Bacon Hams .....	6,006	4,349	6,089	5,420	6,164	7,356	8,175	7,303	1,821	2,734
Bacon Hams .....	105	63	160	145	265	309	1,235	758	15	66
Bacon in bulk .....	2,593,057	1,117,987	1,501,900	985,250	1,492,877	893,188	1,525,059	567,324	670,693	990,905
Bagging, Kentucky .....	70,976	66,898	49,697	48,364	30,447	55,160	47,503	21,921	31,965	22,494
Bale Rope .....	65,613	47,970	62,602	61,005	20,256	33,033	30,923	21,951	23,660	24,127
Beans .....	14,281	2,026	405	4,015	5,519	1,946	312	1,159	13,874	2,850
Butter .....	23	19	5	51	1	49	38	.....	1	13
Butter .....	14,074	10,429	7,557	11,967	7,369	6,178	5,930	7,804	8,847	4,812
Butter .....	693	790	429	219	199	382	64	80	160	165
Butter .....	306	182	155	117	255	244	200	474	380	511
Beeswax .....	1	72	21	1	4	51	20	5	185	374
Beeswax .....	16,069	10,573	4,250	7,963	1,800	20,890	51,435	28,250	5,331	.....
Beef .....	33,202	10,843	10,777	6,153	9,859	9,618	10,118	5,401	50	4,609
Beef .....	32	195	70	36	17	56	18	180	204	3
Beef, dried .....	70,100	39,120	38,090	44,050	130,646	115,223	30,052	59,160	103,410	152,910
Buffalo Robes .....	2,587	5,447	4,035	2,929	4,816	3,800	2,493	1,626	1,957	1,942
Louisiana and Miss. ....	677,343	747,894	469,231	560,406	443,307	355,149	349,805	311,083	287,728	194,469
Lake .....	5,163	14,960	12,156	13,836	11,643	11,166	10,848	9,202	11,974	7,354
North Ala. and Tenn. ...	118,122	155,406	69,347	124,539	132,080	96,700	149,181	134,482	93,363	114,934
Arkansas .....	11,149	13,767	7,003	11,969	7,101	5,738	3,134	1,616	2,862	1,187
Mobile .....	581	15,649	16,768	23,301	7,655	16,472	17,456	5,063	1,533	17,663
Florida .....	731	2,727	1,080	5,437	1,053	6,882	2,764	5,321	6,278	9,499
Texas .....	4,481	3,982	2,929	3,232	2,974	3,335	2,984	917	155	540
Corn Meal .....	2,214	1,447	3,082	3,109	2,992	8,703	1,518	1,665	2,983	2,028
Corn in ears .....	16,050	152,965	161,918	270,924	194,013	255,975	262,410	97,774	91,473	71,322
Corn, shelled .....	268,557	278,358	338,795	177,751	369,090	287,482	162,346	62,137	65,620	7,490
Cheese .....	1,852	428	319	510	201	291	173	117	153	321
Candles .....	425	390	34	800	23	216	46	519	1,811	127
Cider .....	544	524	184	1,627	735	1,790	22	1,199	808	929
Coal, Western .....	221,233	99,915	94,362	99,220	61,118	85,328	45,756	24,120	50,000	50,000
Dried Peaches .....	483	18	32	37	239	443	21	319	29	47
Dried Apples .....	1,041	740	.....	35	792	1,176	60	1,128	1,141	250



Feathers.....bags	470	489	457	141	152	224	384	361	200	143
Flaxseed.....bbls.	742	723	316	541	1,220	3,381	6,268	3,720	910	900
Flour.....bbls.	496,194	482,523	434,984	320,208	253,500	287,232	286,534	345,831	233,742	221,283
Furs.....hds.	86	106	111	42	5	70	191	67	306	123
Furs.....boxes	32	16	12	6	3	6	5	6	79	9
Furs.....bundles	1,733	1,121	301	616	575	1,846	2,596	479	876	671
Gin.....bbls.	....	....	....	50	179	70	183	330	509	468
Ginseng.....bags and cases	5,000	....	38	2	70	37	31	....	221	244
Ginseng.....lbs.	....	7,560	3,865	3,000	11,500	8,350	8,500	13,600	....	....
Hemp.....bundles	450	500	4,044	450	....	7	....	32	375	479
Hempen Yarn.....reels	26	....	....	94	40	....	21	27	85	333
Packing Yarn.....reels	483	842	1,040	471	138	....	905	36	....	16
Hides.....	25,522	29,962	19,582	12,235	22,287	21,926	35,716	40,679	22,362	12,889
Horns.....	2,480	18,666	27,450	7,050	16,376	45,078	35,767	38,934	28,845	30,067
Hay.....bundles	21,425	7,603	9,915	13,525	20,594	15,982	1,301	823	1,634	1,166
Iron, pig.....tons	512	1,001	411	1,834	415	1,048	3,526	3,253	1,144	30
Iron, wrought.....tons	45	40	17	....	....	47	131	68	148	....
Lard.....hds.	74	146	313	30	....	....	9	....	....	....
Lard.....bbls.	9,672	5,007	8,620	3,737	3,664	1,671	3,322	2,359	686	1,235
Lard.....kegs	311,710	177,303	218,387	224,388	203,825	188,739	239,552	195,565	128,019	151,725
Lard.....lbs.	3,000	....	2,300	10,000	....	2,100	3,274	....	....	....
Leather.....bundles	1,092	799	681	424	832	738	1,021	569	856	325
Leather.....sides	....	....	....	....	200	391	25	....	....	....
Lime, Western.....bbls.	2,406	1,020	900	500	590	500	1,332	3,820	1,642	....
Lead, pig.....pigs	434,467	307,397	309,528	294,448	260,223	313,705	225,386	203,999	163,393	117,826
Lead, bar.....kegs and boxes	601	863	807	1,520	431	760	627	2,367	1,020	453
Lead.....lbs.	....	....	....	....	....	....	....	....	244,000	245,500
Oats.....bbls.	54,250	42,885	38,708	25,514	32,180	18,132	14,264	18,206	9,029	1,784
Onions.....bbls.	6,457	2,871	441	1,605	4,642	3,532	361	8,772	610	501
Oil, Linseed.....bbls.	414	195	180	400	249	159	613	514	488	171
Oil, Bear.....bbls.	24	1	1	9	2	40	68	93	154	48
Oil, Castor.....bbls.	1,115	669	357	564	905	1,220	495	363	274	402
Peach Brandy.....bbls.	147	51	51	177	196	147	401	257	412	20
Pecans.....bbls.	100	44	....	....	121	310	23	11	80	6
Pickles.....bbls.	142	144	196	31	420	37	44	....	73	57
Pickles.....kegs	15	283	415	183	435	1,130	1,223	283	849	238
Potatoes.....bbls.	28,468	21,469	6,254	16,565	26,599	14,122	4,984	8,537	46,343	6,346
Pork.....bbls.	216,974	120,908	166,071	139,463	115,580	79,505	92,172	91,998	59,241	68,270
Pork.....hds.	763	1,067	1,160	1,523	531	87	124	298	175	30
Pork in bulk.....lbs.	9,744,220	7,192,156	7,192,156	3,474,076	8,939,135	5,416,976	7,160,934	2,603,860	4,196,192	4,114,096
Porter and Ale.....bbls.	2,133	106	324	95	1,181	756	49	1,723	1,803	1,456
Rum.....punchcons	102	289	478	464	639	159	520	498	66	....
Rum.....bbls.	2,133	1,714	454	40	4,324	1,418	1,396	2,081	1,816	347
Skins, Deer.....packs	1,650	2,200	3,183	2,925	4,014	4,338	2,612	5,091	5,223	3,809
Skins, Bear.....packs	26	21	74	13	9	65	90	174	311	197
Shot.....kegs	6,501	1,442	1,345	1,962	1,891	1,313	2,444	1,920	1,160	1,196
Shot.....bags	102	106	106	111	....	....	4	20	72	....
Soap.....boxes	150	66	300	587	83	328	1,187	1,588	1,876	76

TABLE CONTINUED.

ARTICLES.	1840-41.	1839-40.	1838-39.	1837-38.	1836-37.	1835-36.	1834-35.	1833-34.	1832-33.	1831-32.
Shingles.....	155,000	537,000	80,000	140,000	88,000	580,000	368,600	55,000	702,000	251,000
Staves.....	736,600	1,000,000	1,700,000	600,000	1,000,000	1,020,000	1,000,000	2,000,000	850,000	700,000
Segars.....	512	.....	2	35	40	113	29	50	27	2
Moss, Spanish.....	2,073	2,085	1,888	1,733	3,863	5,861	1,284	584	1,059	735
Tallow.....	937	200	748	135	73	335	440	712	1,954	1,594
Tobacco, Leaf.....	53,171	43,827	28,153	37,588	28,501	50,555	35,059	25,871	20,627	31,174
Tobacco, Chewing.....	3,935	912	1,856	4,069	1,427	1,109	1,385	2,390	2,825	11,434
Tobacco.....	180	.....	.....	386	.....	4	942	222	1,723	1,447
Tobacco.....	1,226	280	1,386	144	1,533	1,499	3,204	1,277	2,784	2,271
Twine.....	905	932	896	654	227	354	439	249	267	125
Twine.....	104	61	16	.....	36	38	76	65	42	11
Venison Hams.....	1,034	7,348	1,910	1,470	550	4,272	5,006	9,122	6,229	970
Vinegar.....	318	18	1,674	464	94	58	136	159	958	64
Whiskey.....	73,873	55,857	29,353	51,580	44,790	31,929	35,220	32,182	34,970	37,369
Window Glass.....	760	2,363	2,732	2,859	2,059	2,864	7,904	3,938	3,222	1,138
Wheat.....	2,621	63,015	17,280	2,027	6,422	1,090	10,038	.....	.....	.....

Monthly arrivals of Ships, Barks, Brigs, Schooners and Steamboats, for five years, from 1st September to 31st August.

MONTHS.	1840-41.					1839-40.					1838-39.					1837-38.					1836-37.									
	Ships.	Barks.	Brigs.	Sch'rs.	Total.	S. Boats.	Ships.	Barks.	Brigs.	Sch'rs.	Total.	S. Boats.	Ships.	Barks.	Brigs.	Sch'rs.	Total.	S. Boats.	Ships.	Barks.	Brigs.	Sch'rs.	Total.	S. Boats.						
September.....	31	7	18	20	76	83	16	2	17	18	52	62	22	3	13	18	56	57	18	7	9	24	64	30	5	19	21	75	76	
October.....	55	13	15	37	120	186	49	6	21	40	116	135	42	9	23	31	105	50	70	7	19	15	74	36	3	20	23	82	117	
November.....	68	18	23	27	136	229	54	18	26	38	136	153	81	15	45	56	197	117	77	12	35	33	157	103	5	28	41	107	168	
December.....	105	30	55	76	266	281	59	22	57	65	203	241	69	17	47	63	196	163	64	11	45	48	204	61	14	67	51	193	201	
January.....	80	32	43	65	220	241	99	26	53	91	269	196	67	18	59	103	247	161	44	9	54	64	171	198	29	7	57	91	184	
February.....	37	15	21	50	123	207	38	14	36	64	152	219	53	25	44	84	206	179	33	9	41	59	142	165	45	22	58	63	188	
March.....	76	25	52	97	250	233	27	13	26	110	176	241	57	18	56	98	229	195	48	4	58	75	185	186	21	12	44	68	145	
April.....	53	15	32	45	143	219	94	33	54	74	255	207	49	19	37	79	184	186	44	16	37	72	169	150	47	9	43	52	151	
May.....	40	10	22	31	103	208	30	11	60	69	170	170	52	5	39	62	158	187	53	10	50	55	168	144	69	15	45	49	178	
June.....	24	10	14	31	79	141	40	13	37	50	140	135	8	6	15	41	70	144	46	11	65	73	195	156	13	6	22	33	74	
July.....	12	10	16	20	58	92	39	9	30	29	97	103	16	9	19	47	91	76	12	6	27	29	74	79	3	16	25	51	92	
August.....	14	6	14	35	69	67	18	10	18	34	80	75	15	2	10	34	61	53	12	9	20	23	64	35	1	21	23	61	60	
Total.....	595	191	325	532	1,643	2,187	553	177	435	682	1,846	1,973	461	146	407	716	1,740	1,568	471	111	460	570	1,612	1,558	408	102	440	540	1,489	1,561

New Orleans Price Current.

Wealth and Resources of New York.

In an article a few days since we alluded to the efforts that are constantly making by our opponents to injure the credit of the State, by denouncing the various works of public improvement now in progress as extravagant, and asserting that the expense of completing them will involve us in debt as deeply as are some of our sister States while the income from the works will never pay the interest on their cost. We then showed that the estimates, on the strength of which these works were undertaken have so far not only been proved correct, but for the last year there was a large excess, and this year there is every probability of there being a still greater. We have now before us a statement which the reader will find interesting. It presents at one view the operation of our canal system from 1817 to 1840. By this it will be seen that the Erie, Champlain, and all the lateral canals, except the Genesee Valley and Black River, which are not completed, are paid for. The famous "forty million debt" is to be made up of the cost of the enlargement of the Erie Canal, and the construction of the two lateral canals.

ERIE AND CHAMPLAIN CANALS.

Payments.

Cost of Construction.....	\$10,035,132 62
Repairs .....	4,343,035 64
Cost of collecting tolls, &c. ....	382,892 29
Interest on loans.....	5,776,111 52
Premium on Stocks purchased.....	338,886 55
Miscellaneous.....	1,051,912 77
	<hr/>
	\$21,927,471 39
Balance in favor of E. & C. Canal fund...	4,398,473 84
	<hr/>
	\$26,325,945 23

Revenue.

Tolls .....	\$18,505,818 61
Auction Duty .....	3,592,039 05
Salt Duty.....	2,055,458 06
Steamboat tax .....	73,509 99
Sales of lands .....	103,755 18
Rent of Surplus Water...	25,127 36
Miscellaneous .....	247,354 18
Interest on Surplus.....	1,474,502 79
Premium on Loans .....	158,380 01
	<hr/>
	\$26,325,945 23

LATERAL CANALS.

Cost of Construction.

Oswego.....	\$543,962 23
Cayuga and Seneca .....	226,036 64
Chemung.....	348,440 61
Crooked Lake .....	140,671 49
Chenango.....	2,389,311 72
	<hr/>
Total.....	\$3,648,422 69
Interest .....	1,248,331 67
Repairs .....	710,305 99
Expenses of Collection .....	54,032 96
Miscellaneous.....	34,420 80
	<hr/>

Total payments .....	\$5,595,514 11
" receipts.....	1,004,543 74
	<hr/>

Balance against Lateral Canals .....	\$4,690,970 37
--------------------------------------	----------------

Revenue to September 30, 1840.

Oswego .....	\$487,632 15
Cayuga and Seneca.....	199,747 77
Chemung.....	77,884 60
Crooked Lake.....	37,785 49
Chenango .....	201,493 73
	<hr/>
	\$1,004,543 74

viz:

Tolls.....	\$546,903 50
Sales of land, (Oswego canal)	212,956 97
Rent of surplus water, (do)..	6,045 53

Miscellaneous .....	72,535 55
Premium on loans.....	166,102 19
	<hr/>
	\$1,004,543 74

RECAPITULATION.

	Payments.	Receipts.
Erie and Champlain Canals.....	\$21,927,471 39	\$26,325,945 23
Lateral Canals.....	5,695,514 11	1,004,543 74
	<hr/>	<hr/>
	\$27,622,985 50	\$27,330,488 97
	27,330,488 97	

Balance against all of the above Canals, Sept. 30, 1840.	\$302,496 53
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[N. Y. Times and Star.

New York State Canals.

The following are the Canal Debts of this State, by the last official statements:

	Amount.	Annual Int.
Erie Canal enlargement ....	\$6,500,000	\$330,000 00
Oswego Canal.....	421,304	21,065 20
Cayuga and Seneca.....	237,000	11,850 00
Chemung.....	370,945	18,547 25
Chenango .....	2,402,535	120,326 78
Crooked Lake.....	120,000	6,000 00
Black River.....	1,050,000	52,500 00
Genesee Valley.....	2,500,000	125,000 00
Oneida River Improvement .	50,000	2,500 00

* Am't of Debt Jan. 1841....	\$13,651,784	\$687,789 23
------------------------------	--------------	--------------

Estimated amounts required to complete the public works.

Erie Canal Enlargement.....	\$17,000,000
Genesee Valley Canal.....	2,235,550
Black River do .....	1,090,026
Do Extension to the St. Lawrence.....	1,327,874
Chenango do extension to Tioga Point.....	788,150
Chemung do do to do .....	391,056
do Repairs and new locks .....	264,000
Glen's Falls Feeder.....	74,204

	\$23,170,860
Canal debt as above.....	13,651,684

\$36,822,644

The last Legislature authorized a loan of three millions for the present year. If therefore we borrow four millions per annum for the next five years, all of the great public works above named may be completed by the year 1847. This will not be a very alarming amount to borrow annually, as the canal tolls will doubtless exceed two millions this year, and continue to increase. When these canals are completed, we shall have nearly one thousand miles of canal navigation within this State, uniting the Hudson with the Lakes, the St. Lawrence, the Susquehanna, Ohio and other rivers, besides a connexion with the canals of Pennsylvania.

\* The means for the redemption of the balance of the Erie and Champlain Canal debt, due principally in 1845, viz: \$2,054,808, being provided for, it is not included in the above statement of canal debts.

This fund is invested as follows:

Loaned on bonds and mortgages at 6 p. c....	\$917,385 06
Do to city of Albany, at 5 p. c.....	162,000 00
Do to sundry banks, at 5 a 5½ p. c. ....	954,510 02
Deposits in banks subject to immediate draft.	46,068 92

Amount of fund .....	\$2,079,964 00
Amount of debt.....	2,054,808 00

Surplus.....	\$25,156 00
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The estimated cost of the enlargement of the Erie Canal (including the amount already expended) is \$23,284,931; Black river Canal, \$2,287,374; Genesee Valley Canal \$4,688,050.—*ib.*

Wonderful Speed.

Mr. C. H. Ruggles, of St. Louis, arrived here from New York, on his way home, on Friday night last, in *seven* days from that city. He left New York on Friday the 13th ult. at 5 P. M. and reached Chicago on Thursday morning, via the lakes, just in time for Frink & Walker's line, which arrived here at nine P. M. on the next day. He must have stopped 6 or 8 hours at Ottawa also. He continued on to St. Louis the same night by steamboat, and doubtless awoke at the wharf of that city on Sunday morning; thus making the passage from New York city to St. Louis in eight days. Was the journey via the Ohio river ever made sooner? Mr. R. however, was favored by a concurrence of circumstances which might not again soon occur. His arrival at Buffalo must have been just at the moment when the lake steamer was about to leave, and at Chicago he must have been equally fortunate in getting onward. The same good luck attended him in taking passage to St. Louis.

On Monday night another gentleman arrived here from New York who left on the 14th. He was just nine days performing the journey, and this may be considered the average time at present. As the public becomes better acquainted with the advantages of this route, and the travel increases upon it, more *method* will be observed by our Illinois packets in their arrivals and departures, and probably next season the trip first above spoken of will be very often repeated.

Peoria (Ill.) Register.

WHEAT.

Mr. Editor: Wheat is a dull article at 40 cents per bushel, cash. At Chicago the sale is brisk at 90 cents. I estimate the quantity of new wheat in this county at 50,000 bushels. Now see how much our farmers will lose in this one article by not having the facilities which the canal would furnish for transporting their produce to Chicago.

50,000 bushels wheat at Chicago, at 90 cents,	\$45,000
“ “ “ Peoria, at 40 “	20,000
Difference	\$25,000
Expense of transportation at 8 cents per bushel,	4,000
Leaving a loss in one year on wheat alone of	\$21,000

a sum sufficient to pay the debts of all the farmers in this county.—Peoria (Ill.) Register.

Another Diamond Found.

Abbeville Court House, }  
23d August, 1841. }

Mr. Editor: Sir.—In the Southern Patriot of the 14th inst., I noticed an extract from the “Cincinnati Daily Gazette,” relative to a “native diamond, found in Indiana,” and was forcibly impressed with its description as being nearly the same connected with a gem which I found in the year 1838, in the Wisconsin Territory, my gem will cut glass, and scratch quartz crystal. It cannot be scratched by the hardest silversmith's file, nor by grinding on a grind stone. It is  $\frac{5}{8}$  in width, and  $\frac{7}{8}$  in thickness, with 24 convex bumps, blisters or facets on one side, and when exposed to the rays of the sun or candle light, these facets reflect the light very brilliantly. Its shape somewhat resembles the segment or one-fifth part of a circle. It has a slight tinge of pale yellow, apparently confined to its exterior, and is very transparent. It weighs in air 22 grains, and by immersion in spring water 20 grains. My object in this publication is to arrest the attention of the scientific, whom I respectfully invite to an examination of the gem mentioned, together with my cabinet generally, consisting of six hundred cornelians, agates and other transparent stones, unknown to me, with these can be seen the prairie salt, and the richest ores of iron, lead and copper, all of which were found in the United States, and within its Territorial limits.

THOMAS PIERCY SPIERIN.  
Charleston Patriot.

Vetoos by the Presidents.

The exercise of the veto power is not an innovation, as many pretend. Washington resorted to it twice, Madison four times, Monroe once, Jackson five times, and Tyler twice. It was exercised

By Gen. Washington,	April	5,	1792
“ “	March	1,	1797
By Mr. Madison,	Feb.	21,	1811
“ “	Feb.	28,	1811
“ “	Nov.	6,	1812
“ “	Jan.	20,	1816
By Mr. Monroe,	May	4,	1822
By Gen. Jackson,	May	31,	1831
“ “	Dec.	8,	1831
“ “	July	10,	1832
“ “	Dec.	5,	1832
“ “	Dec.	6,	1834
By Mr. Tyler,	Aug.	16,	1841
“ “	Sept.	9,	1841

North Carolina Manufactures.

He who twelve years ago should have predicted that at this time cotton would be imported into North Carolina for manufacturing purposes, would have been looked upon as at least a very visionary being. But he would have been a true prophet. We have now before us a sample of a lot of Louisiana cotton, which was received here, and forwarded to one of the factories of the interior.

Wilmington Chronicle.

Mr. Brevoort, the millionaire who recently died in New York, had lived in the same house since his birth—that is, for ninety-nine years!—and had never been farther from the city than Staten Island. His health had been remarkably good, and his eyesight clear, until a year ago, when he lost his venerable and worthy wife. Since then he has declined rapidly.

Silk Manufacture.

Mr. J. W. Gill, of Mount Pleasant, Ohio, has an establishment for the manufacture of silk in successful operation.—He manufactures velvets, dress silks and a variety of other silk goods. The silk manufacture, we have no doubt, will in a few years become a very important one.

Dissolution of the Cabinet.

All the members have resigned with the exception of Mr. Webster.

New nominations have been made to the Senate to supply their places.

The letters of Messrs. Ewing and Crittenden, have been published—we have not room for them this week.

A serious riot with loss of life, has occurred in Cincinnati—particulars hereafter.

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

VOL. V.

PHILADELPHIA, WEDNESDAY, SEPT. 22, 1841.

No. 12.

## Revenue Bill.

*Duty of 20 per cent. on certain articles—Proviso respecting wool and woods.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That on all articles imported into the United States from and after the thirtieth day of September, eighteen hundred and forty-one, there shall be laid, collected and paid on all articles which are now admitted free of duty, or which are chargeable with a duty of less than twenty per centum ad valorem, a duty of twenty per centum ad valorem, except on the following enumerated articles, that is to say: muriatic acid, sulphuric acid or oil of vitriol, alum, tartaric acid, aquafortis, blue vitriol, calomel, carbonate of soda, corrosive sublimate, combs, copperas, indigo, nitrate of lead, red and white lead dry or ground in oil, sugar of lead, manganese, sulphate of magnesia, bichromate of potash, chromate of potash, prussiate of potash, glauber salts, rochelle salts, sulphate of quinine, refined saltpetre, which shall pay respectively the same rates of duty imposed on them under existing laws; and the following articles shall be exempt from duty, to wit: tea and coffee, all painting and statuary the production of American artists residing abroad, all articles imported for the use of the United States, and the following articles, when specifically imported by order, and for the use of any society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or by order and for the use of any college, academy, school or seminary of learning, in the United States, to wit, philosophical apparatus, instruments, books, maps, charts, statues, busts of marble, bronze, alabaster or plaster of Paris, casts, paintings, drawings, engravings, specimens of sculpture, cabinets of coins, gems, medals, and all other collections of antiquities, statuary, modelling, painting, drawing, etching, or engraving; and, also, all importations of specimens in natural history, mineralogy, botany, and anatomical preparations, models of machinery, and the models of other inventions, plants and trees, wearing apparel, and other personal baggage in actual use, and the implements or tools of trade of persons arriving in the United States; crude antimony, regulus of antimony, animals imported for breed, argol, gum arabic, aloes, ambergris, bole armenian, arrow root, annatto, anniseed, oil of anniseed, amber, assafoetida, ava root, alcornoque, alba canella bark of cork tree unmanufactured, burr stones unwrought, brass in pigs or bars, old brass only fit to be re-manufactured, brimstone or sulphur, barrilla, braziletto, boracic acid, Burgundy pitch, berries used for dyeing, smaltz, lasting or prunella used in the manufacture of buttons and shoes, vanilla beans, balsam tolu, gold and silver coins and bullion, clay unwrought, copper imported in any shape for the use of the mint, copper in pigs, bars or plates, or plates or sheets of which copper is the material of chief value, suited to the sheathing of ships, old copper fit only to be re-manufactured, lapis calaminaris, cochineal, chamomile flowers, coriander seed, catsup, cantharides, castanas, chalk, coculus indicus, colombo root, cummin seed, cascadeilla, cream of tartar, vegetables and nuts of all kinds used principally in dyeing and composing dyes, lac-dye, emery, epaulets and wings of gold or silver, furs undressed of all kinds, flaxseed or linseed, flax unmanufactured, fustic, flints, ground flint grindstones, gamboge, raw hides, hemlock, henbane, horn plates for lanterns, ox and other horns, Harlem oil, hartshorn,

hair unmanufactured, hair pencils, ipecacuanha, ivory unmanufactured, iris root, juniper berries, oil of juniper, kelp, kermes, madder, madder root, musk, manna, marrow and other soap stocks and soap stuffs, palm oil, mohair, mother of pearl, needles, nux vomica, orris root, oil of almonds, opium, palm leaf, platina, Peruvian bark, old pewter fit only to be re-manufactured, plaster of Paris, quicksilver, rags of any kind of cloth, India rubber, reeds unmanufactured, rhubarb, rotten stone, elephants' and other animals teeth, polishing stones, bristles, ratans unmanufactured, raw and undressed skins, spelter, crude saltpetre, gum Senegal, saffron, shellac, soda ash, sponges, sago, sarsaparilla, senna, sumac, tapioca, tamarinds, crude tartar, teutenegue, tin foil, tin in pigs, bars, plates, or sheets, tips of bone or horn, tortoise shell, turmeric, weld, woad or pastel, Brazil wood, Nicaragua wood, red wood, cam wood, log wood, dye woods of all kinds, unmanufactured woods of any kind, except rose wood, satin wood, and mahogany, whale and other fish oils of American fisheries, and all other articles the produce of said fisheries, and zinc; and, also, wool unmanufactured, the value whereof at the place of exportation shall not exceed eight cents per pound: *Provided*, That if any fine wool be mixed with dirt or other material, and thus be reduced in value to eight cents per pound or under, the appraisers shall appraise said wool at such price as in their opinion it would have cost had it not been so mixed, and a duty thereon shall be charged in conformity with such appraisal: *And provided further*, That when wool of different qualities is imported in the same bale, bag or package, and any part thereof is worth more than eight cents a pound valued as aforesaid, that part shall pay a duty of twenty per centum ad valorem: *Provided*, That boards, planks, staves, scantling, sawed timber, and all other descriptions of wood which shall have been wrought into shapes that fit them respectively for any specific and permanent use, without further manufacture, shall be deemed and taken as manufactured wood.

*Non-enumerated articles to pay same duties as those which they most resemble—no unmanufactured articles to pay more than 20 per cent.—disposition of the proceeds of the public lands not to be affected.*

Sec. 2. *And be it further enacted*, That there shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude either in material, quality, texture, or the use to which it may be applied, to any enumerated article chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates of duty are now chargeable, there shall be levied, collected and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials, the duty shall be assessed at the highest rates at which any of its component parts may be chargeable. *Provided*, That, if in virtue of this section, any duty exceeding the rate of twenty per centum ad valorem shall be levied prior to the thirtieth of June, eighteen hundred and forty-two, the same shall not in any wise affect the disposition of the proceeds of the public lands, as provided for by an act passed at the present session of Congress: *And provided further*, That no duty higher than twenty per centum ad



valorem, in virtue of the said section, shall be levied and paid on any unmanufactured article.

*Drawbacks on sugars, rum and molasses, to be reduced in proportion to duties on them.*

Sec. 3. *And be it further enacted*, That from and after the passage of this act, the drawbacks payable on exported refined sugars, manufactured from foreign sugars, and on exported rum, distilled from foreign molasses, shall be reduced in proportion to the reduction which shall have been made by law (after the passage of the acts of Congress of the twenty-first of January, eighteen hundred and twenty-nine, and twenty-ninth of May, eighteen hundred and thirty, allowing said drawbacks,) in the duties on the imported sugars or molasses, out of which the same shall have been manufactured or distilled, and in no case shall the drawback exceed the amount of import duty paid on either of these articles.

*Duties on French and Austrian wines.*

Sec. 4. *And be it further enacted*, That prior to the second day of February next the wines of France shall not be subjected, under the provisions of this act, or any existing law, to the payment of higher rates of duty than the following, namely: on red wines in casks six cents a gallon; white wines in casks ten cents a gallon, and French wines of all sorts in bottles, twenty-two cents per gallon: *Provided*, That no higher duty shall be charged under this act, or any existing law, on the red wines of Austria, than are now, or may be by this act, levied upon the red wines of Spain, when the said wines are imported in casks.

*Duty on railroad iron.*

Sec. 5. *And be it further enacted*, That the act entitled "An act to release from duty, iron prepared for, and actually laid on railways or inclined planes," approved fourteenth of July, eighteen hundred and thirty-two, be, and the same is hereby repealed; and there shall be laid, collected, and paid on such iron hereafter imported, a duty of twenty per centum ad valorem: *Provided*, That such repeal shall not operate, nor shall such duties be imposed upon railroad iron which shall be imported under the provisions of the said act prior to the third day of March, eighteen hundred and forty-three, and laid down on any railroad or inclined plane, of which the construction has been already commenced, and which shall be necessary to complete the same.

*Exception for vessels beyond Capes Good Hope and Horn.*

Sec. 6. *And be it further enacted*, That nothing in this act contained shall apply to goods shipped in a vessel bound to any port in the United States, actually having left her last port of lading eastward of the Cape of Good Hope, or beyond Cape Horn, prior to the first day of August, eighteen hundred and forty-one.

*Repeal of conflicting laws.*

Sec. 7. *And be it further enacted*, That all laws or parts of laws inconsistent with this act are hereby repealed.

Approved, September 11, 1841.

#### Complete List of Acts

*Passed at the 1st Session of the 27th Congress.*

An act making appropriations for the present session of Congress.

An act authorizing a loan not exceeding the sum of twelve millions of dollars.

An act for the relief of Mrs. Harrison, widow of the late President of the United States.

An act making appropriation for the pay, subsistence, &c. of a home squadron.

An act making further provision for the maintenance of pauper lunatics in the District of Columbia.

An act to revive and continue in force for ten years an act entitled "An act to incorporate the Mechanic Relief Society of Alexandria.

An act to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the

public revenue," and to provide for the punishment of embezzlers of public money, and for other purposes.

An act to provide for the payment of Navy pensions.

An act to establish a uniform system of bankruptcy throughout the United States.

An act further to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.

An act to authorize the recovery of fines and forfeitures incurred under the charter, laws, and ordinances of Georgetown, before justices of the peace.

An act to revive and extend the charters of certain banks in the District of Columbia.

An act in addition to an act entitled "An act to carry into effect a convention between the United States and the Mexican Republic."

An act to amend the act entitled "An act to provide for taking the sixth census or enumeration of the inhabitants of the United States," approved March third, one thousand eight hundred and thirty-nine, and the acts amending the same.

An act making an appropriation for the funeral expenses of William Henry Harrison, deceased, late President of the United States.

An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights.

An act making appropriations for various fortifications, for ordnance, and for preventing and suppressing Indian hostilities.

An act to provide for placing Greenough's statue of Washington in the Rotunda of the Capitol, and for expenses therein mentioned.

An act authorizing the transmission of letters and packets to and from Mrs. Harrison free of postage.

An act to make appropriations for the Post Office Department.

An act making an appropriation for the purchase of naval ordnance and ordnance stores, and for other purposes.

An act making appropriations for outfits and salaries of diplomatic agents, and for other purposes.

An act to provide for repairing the Potomac bridge.

An act relating to duties and drawbacks.

An act to repeal a part of the sixth section of the act entitled "An act to provide for the support of the Military Academy of the United States for the year 1838, and for other purposes," passed July 7, 1838.

#### Joint Resolutions.

A resolution relating to the light-boats now stationed at Sandy Hook and Bartlett's Reef.

A resolution for the distribution of seven hundred copies of the Digest of Patents.

A resolution to provide for the distribution of the printed returns of the sixth census.

A resolution in relation to the purchase of domestic water-rotted hemp for the use of the United States Navy.

Joint resolution making it the duty of the Attorney General to examine into the titles of the lands or sites for the purpose of erecting thereon armories and other public works and buildings, and for other purposes.

#### Bank Notes—Payment.

Judge Este of the Superior Court in this city has decided at the late term of his Court yet in progress: "that the receipt of bank notes as money, is not a legal but a conventional arrangement: that the law is well settled that when bank notes are taken as money, or in payment of an antecedent debt, the risk of insolvency is upon the party from whom the bills or notes are received, even when both parties are alike ignorant in regard to the solvency of the bank whose notes are passed, unless there is an agreement that the party who received the notes takes them at his own risk." In case of such payment without special agreement, and the bank is found to have been insolvent when the notes were passed, the party may return them and recover on the original cause of action or for money had and received.—*Cincinnati Gaz.*

*From the Cincinnati Daily Gazette, September 6.*

### Riot and Loss of Life at Cincinnati.

This city has been in a most alarming condition for several days—and from about 8 o'clock on Friday evening until about three o'clock yesterday morning, almost entirely at the mercy of a lawless mob, ranging in number, from two to fifteen hundred. Amidst the confusion of such a state of things, it is almost impossible to collect a full or accurate state of facts. But with deep regret, and acknowledged humiliation, we detail what has happened as well as we can.

On Tuesday evening last, as we are informed, a quarrel took place near the corner of Sixth street and Broadway, between a party of Irishmen, and some negroes, in which blows were exchanged, and other weapons, if not fire arms, used. Some two or three of each party were wounded. On Wednesday night the quarrel was renewed in some way, and sometime after midnight, a party of excited men armed with clubs, &c., attacked a house occupied as a negro boarding-house on Macalester street, demanding the surrender of a negro, whom they said had fled into the house, and was there secreted, and uttering the most violent threats against the house, and the negroes in general. Several of the adjoining houses were occupied by negro families, including a number of women and children. The violence increased and was resisted by these in or about the houses—an engagement took place, in which several were wounded on each side—and some say guns or pistols were discharged from the house. Some gentlemen in the neighborhood, interfered and succeeded in restoring quiet after about three-fourths of an hour, when a watchman appeared. But it is singular, that this violent street disturbance, elicited no report to the Mayor, nor arrest—indeed that the Mayor remained ignorant of the affair, until late in the day, when he casually heard of it.

On Thursday night another rencontre took place in the neighborhood of the Lower Market, between some young men and boys, and some negroes, in which one or two of the boys were badly wounded, as was supposed, with knives—how the negroes fared, we did not learn.

On Friday, during the day, there was considerable excitement. Threats of violence and lawless outbreak were indicated in various ways and came to the ear of the police, and of the negroes. Attacks were expected upon the negro residences in Macalester, Sixth and New streets. The negroes armed themselves, and the knowledge of this increased the excitement. But we do not know that it produced any known measure of precaution on the part of the police, to preserve the peace of the city.

Before eight o'clock in the evening, a mob, the principal organization of which, we understand was arranged in Kentucky, openly assembled in Fifth Street Market, unmolested by the police or citizens. The number of this mob, as they deliberately marched from their rendezvous towards Broadway and Sixth streets, is variously estimated, but the number increased as they progressed. They were armed with clubs, stones, &c. &c.

Reaching the scene of operations with shouts and blasphemous imprecations, they attacked a negro confectionary house on Broadway, next to the Synagogue, and demolished the doors and windows. This attracted an immense crowd. Savage yells were uttered to encourage the mob onward to the general attack upon the negroes. About this time, before 9 o'clock, *J. W. Piatt*, in a way highly creditable to himself, addressed the mob, exhorting them to peace and obedience to law, and to retire without further violence.—His voice was drowned by the violent shouts of the mob, and the throwing of stones. At this time, we verily believe, a determined corps of fifty or one hundred men, would have dispersed the crowd. The Mayor came up and addressed the people, in a very proper way. The savage yell was instantly raised. "Down with him!"—"run him off!"—were shouted and intermixed with horrid imprecations and exhortations to the mob to move onward. We took some pains to ascertain who these *leading disturbers* of the peace were, and think a large portion of the leaders, and the most violent, came from other parts—were strangers—some were said to be connected with river navigation and were strongly

backed by boat hands of the lowest and most violent order. They advanced to the attack with stones, &c., &c., and were repeatedly fired upon by the negroes. The mob scattered, but immediately rallied again, and again were in like manner repulsed. Men were wounded on both sides, and carried off—and many reported dead. The negroes rallied several times, advanced upon the crowd, and most unjustifiably fired down the street into it, causing a great rush down the street. These things were repeated until past 1 o'clock, when a party procured an iron six pounder from near the river, loaded with boiler punchings, &c., and hauled it to the ground, against the exhortations of the Mayor and others. It was posted on Broadway and pointed down Sixth street. The yells continued, but there was a partial cessation of the firing. Many of the negroes had fled to the hills. The attack upon houses was recommenced, with the firing of guns, on both sides, which continued during most of the night—and exaggerated rumors of the killed and wounded, filled the streets. The cannon was discharged several times.

About 2 o'clock, a portion of the military upon the call of the Mayor, proceeded in keeping the mob at bay. In the morning and throughout the day, several blocks, including the battle ground, were surrounded by sentinels, and kept under martial law—keeping within, the negroes there, and adding to them such as were brought during the day, who were seized without particular charge, by parties who scourged the city, assuming the authority of the law.

A meeting of citizens was held at the Court House on Saturday morning, at which the Mayor presided. This meeting was addressed by the Mayor, Judge Read, Mr. Piatt, Sheriff Avery and Mr. Hart. They resolved to observe the law, to discountenance mobs—invoked the aid of the civil authorities to stay the violence—and pledged themselves to exertion in aid of the civil authority to arrest and place within reach of the law, the negroes who wounded the two white boys on Columbia street. That the Township Trustees should enforce the law of 1807, requiring security of negroes, and pledging themselves to enforce it to the letter, until the city, "is relieved of the effect of modern abolitionism, giving assurance to "our Southern brethren," to carry out that "act in good faith"—and to deliver "up, under the law of Congress forthwith," every negro who escapes from his master and comes within our borders. They requested the Mayor, Sheriff and the civil authorities, to proceed at once to the dwellings of the blacks and disarm them of all offensive weapons—recommend search for offenders against the laws, immediate legal proceedings against them, and an efficient patrol to protect the persons and property of the blacks, during the existence of the present excitement, and until they give the bonds required by the act of 1807 or leave the city. They requested the parents and guardians of boys to keep them at home, or away from the scene of excitement. They "*Resolved*, That we view with abhorrence the proceedings of the Abolitionists in our city, and that we repudiate their doctrines, and believe it to be the duty of every good citizen by all lawful means to discountenance every man who lends them his assistance." These resolutions were reported by a committee composed by Messrs. J. W. Piatt, J. C. Avery, R. A. Madison, J. C. Vaughan, B. Storer, D. T. Disney, J. Read, J. Goodin, and N. W. Thomas, were adopted *unanimously*, signed by the Mayor of the city, Col. Davies, as President of the meeting, and Edward Woodruff, President of the City Council, as their Secretary, printed in handbills, and posted in all parts of the city.

The City Council also held a special session, and passed resolutions invoking the united exertions of orderly citizens to the aid of the authorities—to put down the violent commotion existing in the city, to preserve order and vindicate the law against the violence of an excited and lawless mob—requesting all officers, watchmen, and firemen to unite for the arrest of all rioters and violators of law, and the Marshal to increase his deputies to any number required, not exceeding five hundred, to preserve life and protect property—requiring the Mayor and Marshal to call in the aid of the county militia to preserve order, and the Captain of the Watch to increase his force. These proceedings were post-

ed in handbills. Intense excitement continued during the day, the mob and their leaders boldly occupying the streets without arrest, or any effort to arrest any of them, that we have heard of.

The negroes held a meeting in a church, and respectfully assured the Mayor and the citizens that they would use every effort to conduct as orderly, industrious, and peaceable people, to suppress any imprudent conduct among their population and to ferret out all violation of order and law—deprecated the practice of carrying about their person any dangerous weapon, pledged themselves not to carry or keep any about their persons or houses, and expressed their readiness to surrender all such. They expressed their readiness to conform to the law of 1807, and give bond, or to leave within a specified time—and tendered their thanks to the Mayor, watch, officers and gentlemen of the city, for the efforts made to save their property, their lives, their wives and children.

At 3 P. M. the Mayor, Sheriff, Marshal and a portion of the police, proceeded to the battle ground, and there under the protection of the military, though in the presence of the mob, and so far controlled by them, as to prevent the taking away of any negroes, upon their complying with the law.—Several negroes gave bond, and obtained the permission of the authorities to go away with their sureties, some of our most respectable citizens, but were headed, even within the military sentinels, and compelled to return within the ground. It was resolved, to embody the male negroes, and march them to jail for security, under the protection of military and civil authority. From 250 to 300 negroes, including sound and maimed, were with some difficulty marched off to the jail, surrounded by the military and officers; and a dense mass of men, women, and boys, confounding all distinction between the orderly and disorderly, accompanied with deafening yells. They were safely lodged, and still remain in prison, separated from their families. The crowd was in that way dispersed.

Some then supposed we should have a quiet night—but others more observing, discovered that the lawless mob had determined on further violence, to be enacted immediately after night fall. Citizens disposed to aid the authorities were invited to assemble, enroll themselves, and organize for action. The military were ordered out, firemen were out, clothed with authority as a police band. About 80 citizens enrolled themselves as assistants of the Marshal, and acted during the night under his directions, in connexion with Judge Torrence, who was selected by themselves. A portion of this force was mounted. A troop of horse, and several companies of volunteer infantry continued on duty until near midnight. Some were then discharged to sleep upon their arms. Others remained on duty till morning, guarding the jail, &c.

As was anticipated the mob, efficiently organized, early commenced operations, dividing their force and making attacks at different points, thus distracting the attention of the police. The first successful onset was made upon the printing establishment of the Philanthropist. They succeeded in entering the establishment, breaking up the Press, and running with it, amidst savage yells, down through Main street to the river, into which it was thrown. The military, appeared in the alley near the office, interrupting the mob for a short time. They escaped through the by ways, and when the military retired, returning to their work of destruction in the office, which they completed. Several houses were broken open in different parts of the city, occupied by negroes, and the windows, doors and furniture totally destroyed.—Among such is the Confectionary establishment, of Burnet near the upper market—a shop on Columbia near Sycamore—the negro church on Sixth street, and four or five houses near it—a small frame near the synagogue on Broadway, and several houses on Western Row near the river. One of their last efforts was to fire or otherwise destroy the Book establishment of Messrs. Truman and Smith, on Main.—From this they were driven by the police, and soon after, before day-light, dispersed from mere exhaustion.

Mortifying as is the declaration, truth requires us to acknowledge, that our good city has been in complete anarchy, controlled mostly by a lawless and violent mob for twenty-

four hours, trampling all law and authority under foot. We feel this degradation deeply—but so it is. It is impossible to learn the precise number killed and wounded, either of whites, or among the negroes, probably several were killed on both sides, and some twenty or thirty variously wounded, though but few dangerously. Several of the citizen police were hurt with stones and brick bats, which were thrown into the crowd by the mob. The authorities succeeded in arresting and securing about forty of the mob, who are now in prison—others were arrested, but were rescued or made their escape otherwise. We have attempted a plain general narrative of these disgraceful proceedings—have endeavored to be accurate in our facts, and to narrate them in their order of occurrence without coloring or distortion. Such a narrative, at this time, we thought necessary to check the exaggerated rumors which have doubtless spread in all directions. Many of these transactions occurred under our own observation, during Friday night, and the evening and night of Saturday.

We see in these outrages much to deplore, and we see much which merits unqualified condemnation, which has been done, and omitted, during the violence of these lawless excesses. But it behoves all of us *now* to be calm and firm, to prevent another outbreak—to unite and draw out for the preservation of the public peace, all good citizens. Many have hitherto done little to stop this destructive violence, who should unite, and we still trust nearly all will yet unite, to restore the quiet of the city, and efficacy to the law.—Hereafter, when the public mind is in condition to be reasoned with we shall speak as we think upon this subject, offend whom it may.

The mob was in many cases encouraged, and in some, led on, by persons from Kentucky. They declared they had been sent for, and that hundreds of others were organized and ready to come here to rid the city of the negroes and abolitionists. We ourselves heard, one of these, a respectable looking man, shouting to the mob to put down the Mayor and others.

About 11 o'clock, on Saturday night, a bonfire was lighted on the opposite side of the river, and loud shouts were sent up as if a great triumph had been achieved. Was it a rejoicing that a lawless mob had triumphed over law and good order in our city—that brute force had assumed the control of our affairs, and was then moving forward in its unchecked career of destruction? It is impossible, we think, that a feeling of triumph could have been indulged in by any well disposed citizen of our sister State. In some cases the motions of the mob were directed and managed by mere boys, who suggested the points of attack and the object, put the vote, declared the result and led the way! Think for a moment, of a band of *white men*—after all the *negro men* had been disarmed and committed to prison for safe-keeping, under a solemn pledge that their wives and children, and their women should be protected—and while these helpless persons, thus separated from their natural protectors, were confidently reposing in security under the pledge of the authorities—think of it, that in such a state of things, a band calling themselves *men*, returned to attack these unprotected *women and children*! Reflect upon the fact, that in this our city of Cincinnati such a band was permitted to renew their brutal attacks upon these miserable creatures, in violation of the solemn pledge of the city and county authorities! We cannot use terms too strong to mark the leaders and instigators of this mob—though we sincerely think there were many honest but misguided men engaged in it, who will themselves regret it most deeply.

Excitement continued during yesterday. The Council held a meeting, and a meeting of the citizens succeeded, in which the Governor, who is in the city, with other gentlemen took part. Resolutions were adopted for an efficient organization for the night.

A Committee of Safety were appointed, who proclaimed their determination to secure the public peace. The Governor issued his Proclamation, exhorting to peace. The citizens rallied with becoming spirit to aid the city authorities. Efficient organization followed. The military were again ordered out to preserve the peace. The knowledge of these

measures became general, and disorder was hushed and driven to its hiding places. The authorities have now possession of the city, and quiet is restored.

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Monday Morning, 3 A. M.

No disturbances have occurred in our city during the night. The different military companies were stationed at various points through the city. Captain Taylor's troop of horse together with a large number of citizens formed themselves into companies of about thirty each, who kept up a patrol until about 2 o'clock, when the citizens generally retired leaving the military on duty.

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Tuesday Morning, Sept. 7, 1841.

#### The City—The Mob.

The city remained quiet when we went to press, and no farther outbreak is immediately apprehended. The police strengthened and duly organized, will keep up the most vigilant reconnoissance, with an ample reserve at command, to act on a moment's warning.

We were informed yesterday, upon good authority, that the boys wounded up Columbia street, on Thursday night, are doing well, and acknowledge that they made the attack upon the negroes that night. The number killed, if any, is yet unknown, and the number wounded is equally uncertain. The negroes in jail, were examined yesterday by the Committee of Safety. There is but one additional fact, we learned yesterday. That is, that although free ingress to the prison has been allowed to our Kentucky neighbors, in search of fugitive slaves, but one has been claimed from the whole mass, and he is separated from the rest and held for proof in support of the claim.

We are informed to-day that some of our Kentucky friends regard our mention of them as unjust. We are assured, and we believe it, that no respectable man, in either of the counties opposite the city, gave the slightest countenance to any disorder, or aided in any rejoicing, or had other feeling in regard to the disturbances in the city, but what was perfectly proper, and looked to the preservation of order, and the supremacy of the law. But when we say this, and while we feel as sensibly as any one can, that our respectable fellow-citizens across the river, will go as far to maintain order as ourself, and have deeply sympathized in the late condition of the city—yet we cannot disguise the fact, that we heard them claiming to be from Kentucky, urge the mob forward, and denounce all attempts to arrest them in their lawless career, and our city and her authorities, as negroes, and abolitionists. We also heard men, leading the mob, declare themselves from that State, and denounce their Ohio followers, as unfit for such lead. But we forbear further detail. Time will show how far we are correct. And we need only say in addition, that no man places a higher estimate on Kentucky love of order, cool bravery, and the generous sacrifice of every selfish feeling which animates her sons when danger or patriotism invites than we do—yet we know there are men, even in that gallant State, of a very different character—whom good people there would expose and denounce, as soon as ourself.

Since the above was written, we have learned that the Committee of Safety have visited the jail, and determined to proceed to-morrow to act upon the cases of the negroes now held in confinement, as follows: 1. To ascertain such against whom there is any criminal charge, and detain them for further examination. 2. As to those against whom there is no accusation—to discharge natives and those who have given bond under the law of 1807—and to require bond of the others under that law, and to discharge when it is given.

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Wednesday Morning, Sept. 8, 1841.

#### The City--The Mob.

The city continues quiet. The police and military, were on duty again the night before last. Yesterday the Committee of Safety examined and discharged many, perhaps most of the negroes in prison, exacting bail for good behaviour under the act of 1807, from those who had not before given

bail, and upon whom the law imposed the giving security. No more fugitive slaves have been found—nor has any one yet been charged with any criminal offence. We have not been able to learn anything to be depended upon, as to the number, if any, killed, nor the number or condition of the wounded. It is now said that the boys wounded on Lower Market, were severely wounded, and that one of them is not yet out of danger—that they were in the beginning of the affray, but were wounded after the return of the negroes to the second onset, which cannot be justified. The story of the violence upon the negro women, we have taken some pains to inquire into, and believe it unfounded.

The Mayor was yesterday examining the complaints against those arrested as in the mob. He had committed some 12 or 15 for trial, and discharged four, the last we heard from the Court House.

We annex the Governor's Proclamation, issued on Sunday evening—not before having a copy:

#### Proclamation by the Governor.

Whereas it has been made known to me by the authorities of the city of Cincinnati, that the peace of the city has been wantonly broken by large bodies of lawless persons, and that farther violence to the persons and property of the citizens is threatened: Therefore, by virtue of the authority in me vested by the laws of the State of Ohio, I hereby command all persons who may be in the city, to yield prompt obedience to the civil authorities engaged in the preservation of the peace. And I enjoin upon all persons to abstain from any unlawful assemblage, or any act of violence against the persons or property of the citizens. And I hereby make known to all concerned, that orders have been issued to the military force of the County requiring the militia to parade at such points in the city as the civil authority shall direct, and by virtue of such authority, to capture by force of arms all disturbers of the peace.

Given under my hand at the city of Cincinnati, this 5th day of September, A. D. 1841.

THOMAS CORWIN,  
Governor of Ohio and Commander-in-Chief.

#### Interesting to Wool Growers.

It is stated that a pack of wool (240 lbs.) will employ 58 persons a week to manufacture it into broadcloth; or to hit within the truth, will employ one person *one year*. At this rate, the annual wool clip of Vermont (three millions and a half of pounds,) will give employment in manufacturing to 14,583 persons. At a glance, then, we can see how it is that domestic manufacture, affords a market for the farmers.—First it gives a demand for the three and a half millions pounds of wool of Vermont, worth, at an average of 40 cts. per pound, \$1,400,000 a year to Vermont. In the next place, it takes thousands of persons from agriculture to become manufacturers, takes them from the ranks of producers of provisions and places them in the ranks of consumers—thus giving a good market to the farmer for his produce.—And, finally, we will add that this increased demand for produce and for labor, increases the price of produce and the wages of industry. Such are the results of protecting domestic manufacturers.—*Vermont Watchman*.

#### Gold Mine.

We understand says the Charlotte (N. C.) Journal, that on Friday, some persons engaged in hunting Gold, discovered a vein on the lands of Thomas Flow, on Clear Creek, about fourteen miles east of this place, which is very rich. The vein is about one foot. Some of the ore taken out is worth between two and three thousand dollars per bushel.

#### Rochester Flour Mills.

In this thriving city in Western New York, there are 20 Flouring Mills, with about 100 run of stones. Combined, they manufacture equal to *five hundred thousand barrels annually!* Ely's Mill, one of the largest, during the active business season, turns out 500 barrels *daily*.—*Jour. of Com.*



The following article, and another which we shall publish in our next, appeared in the *United States Gazette*, in September last, and were designed to have been printed in the Volume in which the letter referred to, was inserted, (See Vol. III, p. 153) but has from time to time been excluded by other matter. The lucid investigation of the facts connected with two important transactions between our own and foreign governments which have not been generally understood, made by a gentleman so fully competent to the task; and with which the good faith of the United States is so closely identified, is too important to be lost. The remarks upon the writers who gave occasion to these articles are severe, but they could not well be omitted without destroying the connexion of the whole. They discover a strong desire, however, to vindicate American honor, from the charges made against it in the paragraphs alluded to.

### National Faith.—Louisiana Treaty.

#### No. 1.

I have seldom been more surprised than to find that Mr. Biddle's spirited and just defence of the good faith of our country against the accusations and reproaches of the British press, has drawn upon him, or rather upon the United States, some sharp and angry reprimands, not omitting some unkind personal allusions to himself, as if he had been guilty of a gross offence or impropriety in becoming the advocate of American honesty. For my part, I have read his excellent and instructive letter with many thanks to him, and with the pride and pleasure I think an American ought to feel for his clear and triumphant vindication of our national faith, and for the undeniable evidence by which he throws the charge of dishonesty back upon our insolent and malicious accusers. All that Mr. Biddle has said of the good faith, nay, of the unusual liberality of our government, in the payment of its debts, and more than this, of the debts of our citizens to foreign creditors, is strictly true; and it is my purpose to prove it. It is true that his particular object was only to meet the late charges in relation to late loans taken up in Europe, and the effect of our suspension of specie payments upon them, and not to go back to the pecuniary transactions of the Federal Government with foreigners and its own citizens, from the revolution to this day. I am willing, however, to meet his antagonists on their own ground, and to sustain the broad and general allegation of the integrity of the United States in the payment of all their debts. I speak now of *debts*—of *pecuniary engagements*. As to certain claims, not of foreign creditors, but of our own citizens, which are addressed to the equity and justice of our government, I shall speak of them. What Mr. Biddle has said of the full and honorable discharge of the claims of our *creditors*, and he has spoken of no other, will be proved by the public records of our country. Those who have assailed him have exhibited an extraordinary want of knowledge on the subject, and, in my opinion, an unjustifiable negligence, in not taking the trouble to be better acquainted with it before they ventured to come before the public with their speculations, especially as their object was to fix fraud and dishonor on their country. One would suppose that an American would be reluctant to do this, on the clearest proof, but could never be brought to it, not only without evidence, but in the face of the most authentic and unquestionable testimony.

The attacks upon Mr. Biddle's letter have appeared in your *Gazette*, and in another morning paper, which has a very extensive circulation, and is conducted with great ability. The writer, in your paper of the fourth instant, with the signature "H.," has committed such violent mistakes, that it is evident he wrote without the most ordinary examination of his case, and with a wonderful ignorance of it.—This I intend to make abundantly clear. I know that it is incumbent on me to do so, after stating it so strongly. This writer "H." tells us, that the whole aim of Mr. Biddle is to

show how honorably the Government of the *United States* has fulfilled all its *pecuniary engagements*; and he has contrasted its greater punctuality with the conduct of other nations in similar transactions. Here I will pause to say that there is no pecuniary engagement of the Government of the United States which it has not fulfilled; and I challenge this writer to produce proof of the contrary; and, of course, Mr. Biddle is justified in his allegation, even if "H." has correctly understood his aim.

Your correspondent then proceeds: "It were indeed gratifying if there were no blot upon so fair a page; but alas! in relation to the agreement between the United States and France, in the purchase of Louisiana, *there has been, and still continues, a negligence of purpose, or a determination of injustice*, which, if the bright page of national honor is to be preserved, demands consideration and redress." With a striking self-complacency and confidence in one so entirely misinformed, the writer proceeds: "A few words will explain the transaction. For *spoliations* committed by France upon the commerce of the United States, satisfaction was required by the latter government; and when France relinquished her authority over Louisiana, *she expressly stipulated* that the United States should pay to those American citizens who had been plundered by her subjects, the sum of *seven millions four hundred thousand dollars*; and this treaty is solemnly ratified. *Of this money none has yet been paid*; and, when interest to the present time is added, it amounts to the enormous sum of twenty millions of dollars." The charge here upon the government of a gross breach of trust, of rank dishonesty, of a shameless fraud upon its own citizens, is clear and distinct. He goes on: "What a reproach is such a breach of national integrity, and how aggravated an instance! *A noble and generous nation gives* to the United States an equivalent for a certain sum of money, *on condition* (that is a condition required by this generous nation) that the same United States pays it over to its own plundered citizens; an agreement with which it has failed to comply, *thereby holding in contempt so sacred an obligation*."

It would be difficult for the most careless, or the most ingenious man to frame a paragraph so loaded with error and misrepresentation—so entirely destitute of truth in every material fact. Indeed there is not one that is truly stated.—1. The money stipulated to be paid to the citizens of the United States, by the Louisiana treaty, was not for *spoliations*. France would hardly have admitted that she had robbed and plundered our merchants. It was to be paid for debts due to them by the French Government, for supplies, by embargoes and other matters—illegal captures being, it is true, an item in the account. 2. This stipulation was not made, or suggested, or expressed, on the part of France, but was introduced and insisted upon by the American Commissioners. It can with no propriety be said that "she expressly stipulated" that this money should be paid to our citizens, as if it was done on her motion, and from her tender and vigilant regard for our merchants. 3. The sum thus reserved was not seven millions four hundred thousand dollars, but about half of that amount. 4. The noble and generous nation was so far from having this magnanimous regard for the rights and interests of our citizens, that after the negotiators had agreed to it, an attempt was made on the part of the French Government to take this money from us, and put it into the French Treasury: to withdraw this concession to the American creditors, this act of sheer justice, and appropriate the whole amount of the purchase money to the wants of that government. Thus far I have noticed these errors only to show how carelessly your correspondent has written; but—5. *Every cent stipulated by that treaty to be paid to our citizens was promptly provided for and paid precisely in conformity with the provisions of the treaty*; unless the claimants have neglected to get their orders as directed by the treaty, and to call on our treasury for the money, which is hardly to be believed. Our friend "H." might have spared his lamentations over this aggravated breach of national integrity; this contempt of a sacred obligation, and also the labor of calculating the interest for so many years on seven millions five hundred thousand dollars, now



amounting to twenty millions, thus swelled for the kind purpose of making his phantom of fraud gigantic and hideous. A word about the history and cause of this noble and generous transfer of Louisiana to the United States. France was inevitably on the eve of a war with Great Britain, after the short peace of Amiens. She had, a short time before obtained from Spain a retrocession of this province, which was carefully concealed, and no possession was taken by France. Her ownership was not in any beneficial occupancy of the territory, but consisted of such mere right as the retrocession might give her. In the approaching war with Great Britain, the First Consul, who was then the Government of France, was conscious he could not retain this acquisition against the naval power of his enemy, and also wanting money for his exhausted treasury, he resolved as a matter of policy, not from any motive of generosity to us, to sell this province to the United States. The interest of France plainly dictated this policy. A double object was to be accomplished by it. He could preserve it from the hands of Great Britain, and he would transfer it to a people who was looked upon as a formidable and growing rival to the commerce and naval power of his enemy, and should therefore be strengthened. Such were the declared motives and designs of the French Government in making the sale of this province to the United States. Our Commissioners did not want the whole territory, but only certain parts necessary to us: but the First Consul insisted they should take all or none. He had expressed a willingness to his negotiator, M. Marbois, to take fifty millions of francs for the whole; but his minister demanded of us eighty millions; *the whole to be paid to the French Treasury*. Our Commissioners agreed to the amount asked, provided that twenty millions of it should be appropriated and paid to discharge and satisfy certain debts due from France to American citizens. The French minister agreed to this reservation, but when it was reported to the First Consul he was exceedingly dissatisfied with it, and was so far from being willing to give this money to his American creditors in the noble and generous manner now claimed for him, that he required it should be paid into *his treasury*.—He was induced to give it upon the urgent solicitation of his minister, on being informed that it was an indispensable condition on the part of the American Commissioners; and, further, on being reminded that he would now receive ten millions more than he was willing to take. This treaty being ratified, the claims alluded to, of our citizens on the Government of France, were assumed by our Government, which was the Trustee for them to disburse the money to them, according to the provisions of the treaty. The treaty was thus ratified on the 30th of April, 1803. The claims provided for by it were not for spoiliations or demands generally, but for specific “debts due by France to citizens of the United States.” They were particularly designated and described. It is expressly declared that “the debts provided for, are those whose result is comprised in the conjectural note annexed to the Convention.” Even of these debts, claims which fell within certain specified exceptions were not admitted. We see, therefore, that this money was to be applied to the payment of certain specified claims or debts due from France, and not to be distributed generally to all who had suffered by French spoiliations and unlawful captures. *Now let it be remarked:* This Convention was made on the 30th of April, 1803, and on the 10th day of November following, three weeks after the meeting of Congress, an act of Congress was passed, directing the sum of three millions seven hundred and fifty thousand dollars to be appropriated “for the purpose of discharging the claims of citizens of the United States against the Government of France, the payment of which has been assumed by virtue of a Convention made the 30th of April, 1803.” The Secretary of the Treasury was directed to pay, “in conformity with the Convention aforesaid, the amount of such claims above mentioned, as, under the provisions of the said Convention, shall be awarded to the respective claimants, which payments shall be made on the orders of the Minister Plenipotentiary of the United States for the time being, to the French Republic, in conformity with the Convention aforesaid.” It is to be observed that the amounts due to the several claimants were

to be settled in France, where the list alluded to, with the documents and proofs, were lodged, and the amounts awarded were to be paid to the respective claimants on the order of our Minister in France on the Treasury of the United States. *And so they were paid.* Was there ever an obligation or engagement met more promptly or more honorably. This is the money of which your correspondent avers “*none has yet been paid,*” and says, further, that in relation to the agreement made by the United States with France there “has been and still continues a negligence of purpose or a determination of injustice,” and “a contempt of a sacred obligation.” This writer, who has not taken the trouble to look at the official documents which would have furnished him with correct information, has probably plunged into these errors by confounding the claims for French spoiliations on the American commerce now depending before Congress with the claims or debts provided for by the Louisiana treaty. They are altogether different as to the treaty on which they are founded and the principles by which they are maintained. Even as to these claims his representations are altogether mistaken. They may be explained in a few words. By the treaty of the United States with France, made in 1778, the United States guarantied to France for ever “the present possessions of the crown of France in America, as well as those which it may acquire by the future treaty of peace.” This most onerous and dangerous responsibility was assumed in our revolutionary struggle, and in the fervor of our gratitude for the assistance of France. The Commissioners who negotiated our Convention with France in 1830 were not able to agree (see the second article) respecting the treaty of 1778, nor upon the indemnities mutually due or claimed. These subjects were therefore left for future negotiation. The American Government agreed to ratify the convention, provided that the second article were expunged, as they did not like, even by implication, to recognise the obligations of the treaty of 1778. France agreed to expunge this article provided that the two States should renounce the respective pretensions which were the object of the said article. So it was settled, and the effect was to release us from our guarantee of the French possessions, and to release France from the claims of citizens on account of spoiliations on our commerce. It must be observed, *that there was no assumption by the United States of these claims, or any promise or engagement to satisfy her citizens, or to stand in the place of France for the indemnities they were entitled to, much less have the United States receive this money from France and retain it from their citizens for whom it was paid.* That our government had a right to make such treaty, such a surrender of the claims of our citizens, without taking them upon itself, is perfectly clear.—These claimants cannot be considered as *creditors* of the United States, nor their claims as *debts or pecuniary engagements due to them* by the United States. There is, therefore, no breach of promise, no violation of the national faith, in the delay, for I trust it will be more, to satisfy them. The resort which these citizens had upon France for indemnity for their losses was ceded to France, and the United States received in return a release from an obligation of ten times the value of all the claims. They have purchased this release with the property of their citizens. It is undeniable, then, that they have a fair, honest and equitable claim upon their government to make good to them the rights they have thus been deprived of. That they will receive this compensation I cannot doubt. An act has twice passed the Senate making provision for it. It is not, however, the case of an acknowledged debt, or an absolute promise or engagement to pay, as was the case with the Louisiana Convention, and it is as to that I am contending with your correspondent.

In your next paper I shall, with your permission, take up the case of our “British Debts”—as to which our national faith has been most unjustly assailed in the other paper I have alluded to. J. H.

A Bill has passed Congress, and become a law, prohibiting an investment of Government funds in the stocks of any State.

EXPORTS OF COTTON,

From the Port of New Orleans, for the last ten years—commencing 1st September, and ending 31st August.

WHITHER EXPORTED.	BALES OF COTTON.									
	1840-41.	1839-40.	1838-39.	1837-38.	1836-37.	1835-36.	1834-35.	1833-34.	1832-33.	1831-32.
Liverpool .....	396,010	459,943	297,793	466,886	329,436	227,530	245,221	271,821	218,974	194,580
London.....	304	113	6	123	41	281	45	244	336	....
Glasgow and Greenock.....	20,415	26,603	7,390	16,147	17,077	7,991	12,601	13,950	8,096	6,272
Cowes, Falmouth, &c.. .....	9,188	13,560	2,459	48	2,966	1,287	156	1,160	676	3,771
Cork, Belfast, &c. ....	4,393	4,549	2,139	....	1,180	....	1,220	702	....	....
Havre .....	157,277	206,311	110,978	110,384	113,155	106,126	126,505	89,311	72,342	65,259
Bordeaux .....	2,807	6,581	1,348	4,407	6,100	4,137	2,295	2,650	1,597	1,770
Marseilles .....	21,933	21,989	6,371	7,129	9,110	16,205	8,055	6,808	5,203	9,486
Nantz .....	1,834	5,609	2,070	6,383	4,412	6,672	5,017	3,841	2,612	2,820
Cette and Rouen.....	80	....	....	....	753	....	....	....	....	370
Amsterdam .....	....	3,688	49	932	202	2,130	238	754	50	392
Rotterdam and Ghent.....	....	709	....	....	....	....	....	359	....	70
Bremen.....	1,706	1,084	47	636	123	3,039	805	2,088	926	1,026
Antwerp, &c. ....	2,264	7,377	....	1,598	2,782	5,348	1,122	153	....	370
Hamburg .....	2,983	6,846	310	3,149	2,538	4,330	1,863	5,059	1,391	1,655
Gottenburg.....	2,793	2,994	947	343	553	1,025	552	195	1,186	695
Spain and Gibraltar .....	561	1,508	1,225	5,523	3,490	1,323	1,316	1,384	1,615	4,562
West Indies.....	19,002	30,594	3,389	2,559	1,807	521	....	....	75	....
Genoa, Trieste, &c.....	16,801	25,652	4,820	5,910	7,875	10,239	5,588	....	....	1,825
Other foreign ports.....	90	1,044	113	902	233	2,117	....	922	....	....
New York .....	55,930	46,354	62,175	39,384	23,622	29,019	52,678	14,708	31,749	24,405
Boston .....	81,626	54,042	49,497	39,853	39,244	35,982	42,928	26,312	28,625	25,201
Providence, R. I.....	3,132	1,811	3,701	1,607	1,177	3,211	5,431	2,849	13,651	4,611
Philadelphia.....	5,721	6,195	6,371	8,224	6,483	6,767	7,918	3,368	8,411	3,548
Baltimore .....	4,832	3,045	3,450	6,341	2,785	1,128	989	1,701	4,784	1,573
Portsmouth .....	9,025	5,099	5,369	4,819	8,044	11,989	8,707	8,209	4,760	3,343
Other coastwise ports.....	581	6,020	7,171	5,026	3,781	2,098	5,741	2,478	3,465	520
Total .....	821,288	949,320	579,179	738,313	588,969	490,495	536,991	461,026	410,524	358,104

RECAPITULATION.

Great Britain.....	430,310	504,768	309,787	483,204	350,700	237,089	259,243	287,877	228,082	204,623
France .....	183,931	210,490	120,767	128,303	133,550	133,140	141,872	102,610	81,754	79,685
North of Europe .....	9,836	23,742	1,466	7,560	6,431	17,989	4,580	9,530	3,553	4,208
South of Europe .....	36,364	57,754	9,425	13,992	13,172	12,083	6,904	1,384	1,690	6,387
Coastwise.....	160,847	122,566	137,734	105,254	85,136	90,194	124,392	59,625	95,445	63,201
Total .....	821,288	949,320	579,179	738,313	588,969	490,495	536,991	461,026	410,524	358,104

Comparative Arrivals, Exports, and Stocks of Cotton, for ten years—commencing 1st September, to date.

Years.	Arrivals. Bales.	Exports. Bales.	Stocks. Bales.
1840-41	822,870	821,288	14,490
1839-40	954,445	919,320	17,867
1838-39	578,514	579,179	10,308
1837-38	742,720	738,313	9,570
1836-37	605,813	588,969	20,678
1835-36	495,442	490,495	4,586
1834-35	536,172	536,991	3,619
1833-34	467,984	461,026	4,082
1832-33	403,833	410,524	816
1831-32	345,646	358,104	9,778

STATEMENT OF COTTON.

Stock on hand 1st September, 1840....	Bales	17,867
Arrived since 28 ultimo .....	1,803	
Arrived previously.....	821,067	
Total receipts for 12 mos., ending 31st ult. ....	822,870	
	840,737	

Exported since 28th ultimo.....	2,497
Exported previously.....	818,791
Total exports for 12 months.....	821,288
Deduct—Sent Coastwise without clearance .....	2,500
Burned .....	859
Loss in re-picking damaged Cotton, &c....	1,600
	826,247

Stock on hand Sept. 1, 1841, including all on shipboard not cleared on the 31st ultimo, .....	Bales	14,490
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[Levy's Price Current.

For exports for years 1829 and 1830 see vol. I. p 271.

Assize of Bread in Charleston.

The Clerk of the Council gives notice, that from Monday 6th Sept., to Monday 13th Sept. inclusive, the average price of superfine flour being \$7 50 per barrel, of 196 pounds nett weight, the loaves must weigh as follows: White bread—20 cent loaf, 4 lbs. 2 oz.; 10 do. do., 2 lbs. 1 oz.; 5 do. do., 1 lb. ½ oz.; 2½ do. do., 8¼ oz.

EXPORTS OF TOBACCO,

From the Port of New Orleans, for the last ten years—commencing 1st September, and ending 31st August.

WHITHER EXPORTED.	HHDS. OF TOBACCO.									
	1840-41.	1839-40.	1838-39.	1837-38.	1836-37.	1835-36.	1834-35.	1833-34.	1832-33.	1831-32.
Liverpool .....	5,252	3,827	4,115	2,695	1,913	3,033	2,006	1,913	1,189	1,594
London.....	8,732	4,320	3,725	3,579	1,989	6,267	2,953	1,348	1,422	346
Glasgow and Greenock.....	....	....	37	....	....	....	....	....	....	....
Cowes, Falmouth, &c.. .....	6,681	992	871	3,695	6,556	5,126	975	4,851	2,264	7,005
Cork, Belfast, &c. ....	....	....	....	....	....	....	....	....	....	....
Havre .....	4,224	3,655	1,455	2,858	2,447	384	333	168	20	560
Bordeaux .....	814	1,107	....	504	320	654	10	....	60	20
Marseilles.....	1,774	1,844	315	1,516	699	38	1,107	138	....	....
Nantz .....	....	....	....	....	312	61	10	....	5	....
Cette and Rouen.....	....	....	....	....	....	....	....	....	....	....
Amsterdam .....	....	....	224	....	1,254	674	32	....	187	889
Rotterdam and Ghent.....	....	....	....	....	....	299	....	....	....	426
Bremen.....	4,012	2,464	1,366	1,500	3,736	871	2,966	2,083	1,884	3,265
Antwerp, &c. ....	1,219	1,090	....	....	713	1,011	....	909	492	398
Hamburg.....	1,064	1,465	....	206	674	852	704	942	448	1,312
Gottenburg.....	1,559	745	939	576	342	1,545	1,173	528	876	757
Spain and Gibraltar.....	4,142	3,843	3,400	1,512	1,628	414	902	745	323	920
West Indies.....	1,020	1,013	618	725	1,317	786	859	536	103	364
Genoa, Trieste, &c.....	2	44	598	563	....	394	....	174	19	101
Other foreign ports .....	667	343	315	186	612	274	188	87	2	3
New York .....	7,466	8,132	8,174	9,758	4,838	9,541	10,639	4,674	6,967	9,002
Boston .....	3,109	2,888	2,888	2,616	3,520	2,795	4,847	2,557	3,081	3,154
Providence, R. I.....	....	....	....	....	....	....	1	....	....	1
Philadelphia.....	2,126	1,963	1,291	1,649	1,494	2,043	3,002	1,166	1,619	2,757
Baltimore .....	517	219	296	770	541	878	410	19	217	623
Portsmouth .....	....	....	....	....	....	....	....	....	....	....
Other coastwise ports.....	287	482	225	617	916	3,691	684	2,372	2,459	1,559
Total .....	54,667	40,436	30,852	35,555	35,821	41,634	33,801	25,210	23,637	35,056

RECAPITULATION.

Great Britain.....	20,665	9,139	8,748	9,969	10,458	14,426	5,934	8,112	4,875	8,945
France .....	6,812	6,606	1,770	4,878	3,778	1,137	1,460	306	85	580
North of Europe .....	8,040	6,005	2,654	2,438	6,760	5,526	4,943	4,462	3,887	7,047
South of Europe .....	5,645	5,002	4,806	2,860	3,516	1,594	1,881	1,542	447	1,388
Coastwise.....	13,505	13,684	12,874	15,410	11,309	18,951	19,583	10,788	14,343	17,096
Total .....	54,667	40,436	30,852	35,555	35,821	41,634	33,801	25,210	23,637	35,056

Comparative Arrivals, Exports, and Stocks of Tobacco,  
for ten years—commencing 1st September, to date.

Years.	Arrivals. Hhds.	Exports. Hhds.	Stocks. Hhds.
1840-41	53,170	54,667	2,758
1839-40	43,827	40,436	4,409
1838-39	28,153	30,852	1,294
1837-38	37,588	35,555	3,834
1836-37	28,501	35,821	3,857
1835-36	50,555	41,634	10,456
1834-35	35,059	33,801	1,821
1833-34	25,871	25,210	717
1832-33	20,627	23,637	1,203
1831-32	31,174	35,056	4,646

STATEMENT OF TOBACCO.

Stock on hand 1st September, 1840....	Hhds.	4,409
Arrived since 28 ultimo.....	14	
Arrived previously.....	53,156	
Total receipts for 12 mos., ending 31st ult.....		53,170
		57,579

Exported since 28th ultimo..... 43  
Exported previously .....54,624

Total exports for 12 mos. ending 31st ult..54,667  
Burned ..... 154  
54,821

Stock on hand Sept. 1, 1841, including  
all on shipboard not cleared on the 30th  
ultimo, ..... } Hhds. 2,758

[Lewy's Price Current.

For tables of the Tobacco Trade of the United States,  
from 1821 to 1840, in detail, see Vol. IV. pages 331 to 333.

Williams' College.

The triennial catalogue of this Institution, just published, shows a total of 1,371 alumni, of whom 1,146, are still living. Of the whole number, 318 are clergymen; and of these, 62 have deceased. The first class graduated in 1795. The class which graduated the present year, comprised 32 members: being one of the largest that ever left the Institution.

Exports of Sugar and Molasses, from New Orleans, for five years (up the river excepted) from 1st September to 31st August, in each year.

Whither Exported.	1840-41.						1839-40.						1838-39.						1837-38.						1836-37.					
	SUGAR.			MOLASSES.			SUGAR.			MOLASSES.			SUGAR.			MOLASSES.			SUGAR.			MOLASSES.			SUGAR.			MOLASSES.		
	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.	Hhds.		Bbbs.
	18,759	822	5,496	17,081	598	3,511	15,105	9,911	229	7,584	3,884	8,536	9,999	53	5,106	8,322	467	3,325	2,887	155	727	3,318	281	579	1,592	368	3,087	1,299	1,542	27,668
New York.....	6,726	431	1,002	4,694	134	962	3,078	4,516	126	173	753	725	5,295	19	337	467														
Philadelphia.....	1,716	1	550	5,216	88	....	2,309	1,535	97	863	2,844	3,596	1,717	171	246	3,325														
Charleston, S. C.....	357	39	....	1,008	722	117	1,309	670	39	182	1,174	1,322	450	....	....	2,887														
Savannah.....	....	3	208	103	20	99	251	3	3	273	695	162	....	....	52	155														
Providence & Bristol, R. I.....	422	114	496	2,756	931	327	4,451	1,612	131	456	328	415	....	....	....	727														
Boston.....	7,588	48	1,582	7,275	8403	942	5,850	5,804	79	1,734	3,552	4,867	....	....	....	3,318														
Baltimore.....	664	48	350	539	819	553	971	659	5	....	391	188	....	....	....	579														
Norfolk.....	1,520	64	91	716	1,923	179	1,694	1,215	19	231	765	1,039	....	....	8	1,592														
Richmond & Petersb'g, Va.....	374	2	85	153	372	....	98	137	....	....	399	59	....	....	....	368														
Alexandria, D. C.....	1,530	445	....	4,778	2,214	315	3,867	1,816	140	....	2,609	1,271	....	....	....	3,087														
Mobile.....	566	782	....	1,124	947	1,567	1,710	457	661	232	1,542	397	....	....	....	1,299														
Apalachicola & Pensacola.....	304	1,295	1,424	2,661	234	1,880	1,704	480	1,273	1,387	1,495	227	....	....	....	1,542														
Other ports.....	40,526	4,092	11,284	48,101	45,296	6,595	42,397	28,815	2,793	13,115	20,432	28,651	....	....	....	27,748														
Total.....	18,759	822	5,496	17,081	598	3,511	15,105	9,911	229	7,584	3,884	8,536	9,999	53	5,106	8,322	467	3,325	2,887	155	727	3,318	281	579	1,592	368	3,087	1,299	1,542	27,668

[New Orleans Price Current.

A New Steering Wheel.

Mr. Robinson, of the firm of G. W. Robinson & Co., No. 4 Richmond street, has invented a new and ingenious apparatus for steering ships, which is well deserving the attention of persons who feel an interest in the improvement of aught connected with our mercantile marine. The principle on which this improvement is founded, has never, to our knowledge, been applied to this object, although many ingenious plans for steering ships have been devised. The apparatus consists merely in a shaft with a right and left hand screw, with a double rack, and a cog-wheel in the rudder-head. The power which is obtained on this way is very great, and acts on both sides of the rudder—while one side is pulling, the other is pushing, but both actions are calculated to effect the same object—altering the position of the rudder. The apparatus is affixed to a frame firmly fixed to the deck, and extending forward of the centre of the rudder-head, less than four feet, and abaft two or three feet. The steering wheel is attached to the forward end of the shaft, and the whole surface of the deck occupied by the apparatus, is only about seven feet in length and a couple of feet broad. Of course no rope or gearing of any kind is used.

From an examination of the model of this apparatus, which may be seen at Mr. Robinson's establishment, we are induced to think that this invention is a valuable one, and is admirably well adapted to accomplish the purpose for which it is intended.

Mr. Robinson is now engaged in constructing on this principle, the steering apparatus for a ship building at Medford—and we understand, expects to get it into readiness for exhibition at the approaching Mechanics' Fair. The iron shaft to which the screw is attached, may be of any specified length, twenty or thirty feet if desirable, or even longer—an advantage of great importance to steamboats, as fire cannot destroy the steering apparatus — *Boston Journal*.

Dividing the Surplus in New Hampshire.

In Portsmouth, N. H., the inhabitants voted to divide that portion of the surplus revenue which fell to that town, per capita—the sum due to every man, woman and child in the place, being between two and three dollars. That vote is now in the course of execution. An Agent has been appointed and has received the money for distribution; but about 200 suits have been commenced against him as the trustee of individuals owing small sums, and he is placed in rather an embarrassing situation.

In Gilford, (the Exeter News-Letter states,) the surplus, or a part of it, having been expended, the Selectmen decline to borrow, as instructed to do by the vote of the town, so much money as shall make good the deficiency—having some not very unreasonable doubts of their legal right to borrow money for the purpose of distribution.

The Channel of the River Schuylkill Deepening. The Coal Trade.

It is not generally known that for two or three years past, the entrance and channel of the river Schuylkill, has been gradually deepening. The tow-boats take vessels over the bar at ordinary tides, drawing 13 feet water. Three years ago, there was a difficulty at ordinary tides, in carrying over those drawing 11 feet water. Constant towing of vessels in and out in the same channel, it appears, has caused it to deepen. This is an important matter for the coal trade.—The average tonnage of vessels engaged in the trade three years ago, was about 100 tons; the average tonnage this year of vessels going beyond the Capes of the Delaware, is about 150 tons. A number of vessels carrying 300 tons have been loaded and towed over with safety. On Wednesday, the brig Canton was loaded with 333 tons of coal. Freights have advanced—vessels are scarce, and will no doubt continue in demand throughout the season for shipping. The business on the Schuylkill this season, is unprecedented in amount. The Schuylkill Steam Tow-Boat Company's boats, A. and B., tow vessels up and down, taking them over the bar into the Delaware, at four cents per ton.

[National Gazette.



## Letters of Resignation.

The following Letters of the Secretary of the Treasury and the Attorney General, resigning their respective trusts, have been placed in our hands for publication.—*Nat. Intel.*

WASHINGTON, }  
September 11, 1841. }

Sir:—Circumstances have occurred in the course of your Administration, and chiefly in the exercise by you of the veto power, which constrain me to believe that my longer continuance in office as a member of your Cabinet will be neither agreeable to you, useful to the country, nor honorable to myself.

Do me the justice, Mr. President, to believe that this conclusion has been adopted neither capriciously, nor in any spirit of party feeling or personal hostility, but from a *sense of duty*, which, mistaken though it may be, is yet so sincerely entertained, that I cheerfully sacrifice to it the advantages and distinctions of my office.

Be pleased, therefore, to accept this as my resignation of the office of Attorney General of the United States.

Very respectfully, yours, &c.

J. J. CRITTENDEN.

*The President.*

—  
TREASURY DEPARTMENT, }  
September 11, 1841. }

Sir—After the most calm and careful consideration, and viewing the subject in all the aspects in which it presents itself to my mind, I have come to the conclusion that I ought no longer to remain a member of your Cabinet. I therefore resign the office of Secretary of the Treasury, and beg you to accept this as my letter of resignation.

To avoid misunderstanding, I distinctly declare that I do not consider a difference of opinion as to the charter of a National Bank a sufficient reason for dissolving the ties which have existed between us. Though I look upon that measure as one of vast importance to the prosperity of the country, and though I should have deeply deplored your inability or unwillingness to accord it to the wishes of the people and the States, so unequivocally expressed through their Representatives, still upon this, and this alone, unconnected with other controlling circumstances, I should not have felt bound to resign the place which I hold in your Administration. But those controlling circumstances do exist, and I will, in my own justification, place them in connexion before you.

It is but just to say, that the bill which first passed the two houses of Congress, and which was returned with your objections on the 16th of August, did never, in its progress, as far as I know or believe, receive at any time either your express or implied assent. So far as that bill was known to me, or as I was consulted upon it, I endeavored to bring its provisions as nearly as possible in accordance with what I understood to be your views, and rather *hoped* than *expected* your approval. I knew the extent to which you were committed on the question. I knew the pertinacity with which you adhered to your expressed opinions, and I dreaded from the first the most disastrous consequences, when the project of compromise which I presented at an early day was rejected.

It is equally a matter of justice to you and to myself to say that the bill which I reported to the two Houses of Congress at the commencement of the session, in obedience to their call, was modified so as to meet your approbation. You may not, it is true, have read the bill throughout, and examined every part of it; but the 16th fundamental article, which became the contested question of principle, was freely discussed between us, and it was understood and unequivocally sanctioned by yourself. The last clause in the bill, also, which contained a reservation of power in Congress, was inserted on the 9th of June, in your presence, and with your approbation; though you at one time told me that, in giving your sanction to the bill, you would accompany it with an explanation of your understanding of that first clause.

In this condition of things, though I greatly regretted your veto on the bill as it passed the two Houses of Congress, and though I foresaw the excitement and agitation which it would produce among the people, yet, considering the changes which the bill had undergone in its passage, and its variance from the one you had agreed to sanction, I could not find in that act enough to disturb the confidential relations which existed between us. I was disposed to attribute this act, fraught with mischief as it was, to pure and honorable motives, and to a conscientious conviction on your part that the bill, in some of its provisions, conflicted with the Constitution. But that opinion of your course on the bill which has just been returned to Congress with your second veto, I do not and cannot entertain. Recur to what has passed between us with respect to it, and you will at once perceive that such opinion is impossible.

On the morning of the 16th of August, I called at your chamber, and found you preparing the first veto message, to be despatched to the Senate. The Secretary of War came in also, and you read a portion of the message to us. He observed that, though the veto would create a great sensation in Congress, yet he thought the minds of our friends better prepared for it than they were some days ago, and he hoped it would be calmly received, especially as it did not shut out all hope of a bank. To this you replied, that you really thought there ought to be no difficulty about it; that you had sufficiently indicated in your veto message what kind of a bank you would approve, and that Congress might, if they saw fit, pass such a one in three days.

The 18th being the day for our regular Cabinet meeting, we assembled all except Messrs. Crittenden and Granger, and you told us that you had had a long conversation with Messrs. Berrien and Sergeant, who professed to come in behalf of the Whigs of the two Houses to endeavor to strike out some measure which would be generally acceptable. That you had your doubts about the propriety of conversing with them yourself, and thought it more proper that you should commune with them through your constitutional advisers. You expressed a wish that the whole subject should be postponed till the next session of Congress. You spoke of the delay in the Senate of the consideration of your veto message, and expressed anxiety as to the tone and temper which the debate would assume.

Mr. Badger said that on inquiry he was happy to find that the best temper prevailed in the two Houses. He believed they were perfectly ready to take up the bill reported by the Secretary of the Treasury, and pass it at once. You replied, 'Talk not to me of Mr. Ewing's bill; it contains that odious feature of local discounts which I have repudiated in my message.' I then said to you, 'I have no doubt, sir, that the House, having ascertained your views, will pass a bill in conformity to them, provided they can be satisfied that it would answer the purposes of the Treasury, and relieve the country.' You then said, 'Cannot my Cabinet see that this is brought about? You must stand by me in this emergency. Cannot you see that a bill passes Congress such as I can approve without inconsistency?' I declared again my belief that such a bill might be passed. And you then said to me, 'What do you understand to be my opinions? State them, so that I may see that there is no misapprehension about them.'

I then said that I understood you to be of opinion that Congress might charter a bank in the District of Columbia, giving it its location here. To this you assented. That they might authorize such bank to establish offices of discount and deposit in the several States, with the assent of the States. To this you replied, 'Dont name discounts: they have been the source of the most abominable corruptions, and are wholly unnecessary to enable the bank to discharge its duties to the country and the Government.'

I observed in reply that I was proposing nothing, but simply endeavoring to state what I had understood to be your opinion as to the powers which Congress might constitutionally confer on a bank; that on that point I stood corrected. I then proceeded to say that I understood you to be of opinion that Congress might authorize such bank to establish agencies in the several States, with power to deal in



bills of exchange, without the assent of the States, to which you replied, 'Yes, if they be foreign bills, or bills drawn in one State and payable in another. That is all the power necessary for transmitting the public funds and regulating exchanges and the currency.'

Mr. Webster then expressed, in strong terms, his opinion that such a charter would answer all just purposes of Government, and be satisfactory to the People; and declared his preference for it over any which had been proposed, especially as it dispensed with the assent of the States to the creation of an institution necessary for carrying on the fiscal operations of Government. He examined it at some length, both as to its constitutionality and its influence on the currency and exchanges, in all which views you expressed your concurrence, desired that such a bill should be introduced, and especially that it should go into the hands of some of your *friends*. To my inquiry whether Mr. Sergeant would be agreeable to you, you replied that he would. You especially requested Mr. Webster and myself to communicate with Messrs. Berrien and Sergeant on the subject, to whom you said you had promised to address a note, but you doubted not that this personal communication would be equally satisfactory. You desired us also in communicating with those gentlemen, not to commit you personally, lest, this being recognised as your measure, it might be made a subject of comparison to your prejudice in the course of discussion. You and Mr. Webster then conversed about the particular wording of the 16th fundamental article, containing the grant of power to deal in exchanges, and of the connexion in which that grant should be introduced; you also spoke of the name of the institution, desiring that *that* should be changed. To this I objected, as it would probably be made a subject of ridicule, but you insisted that there was much in a name, and this institution ought not to be called a bank. Mr. Webster undertook to adapt it in this particular to your wishes. Mr. Bell then observed to Mr. Webster and myself, that we had no time to lose; that if this were not immediately attended to, another bill, less acceptable, might be got up and reported. We replied that we would lose no time. Mr. Webster accordingly called on Messrs. Berrien and Sergeant immediately, and I waited on them by his appointment at 5 o'clock on the same day, and agreed upon the principles of the bill in accordance with your expressed wishes. And I am apprised of the fact, though it did not occur in my presence, that after the bill was drawn up, and before it was reported, it was seen and examined by yourself: that your attention was specially called to the 16th fundamental article: that on full examination you concurred in its provisions: that at the same time its name was so modified as to meet your approbation: and the bill was reported and passed, in all essential particulars, as it was when it came through your hands.

You asked Mr. Webster and myself each to prepare and present you an argument touching the constitutionality of the bill; and before those arguments could be prepared and read by you, you declared, as I heard and believe, to gentlemen, members of the House, that you would cut off your right hand rather than approve it. After this new resolution was taken, you asked and earnestly urged the members of your cabinet to postpone the bill; but you would neither give yourself, nor suffer them to give, any assurance of your future course, in case of such postponement. By some of us, and I was myself one, the effort was made to gratify your wishes, in the only way in which it could be done with propriety; that is, by obtaining the general concurrence of the Whig members of the two Houses in the postponement.—It failed, as I have reason to believe, because you would give no assurance that the delay was not sought, as a means and occasion for hostile movements. During this season of deep feeling and earnest exertion upon our part, while we were zealously devoting our talents and influence to serve and to sustain you, the very secrets of our cabinet councils made their appearance in an infamous paper printed in a neighboring city, the columns of which were daily charged with flattery of yourself and foul abuse of your Cabinet. All this I bore; for I felt that my services, so long as they could avail, were due to the nation—to that great and magnani-

mous People whose suffrages elevated your predecessor to the station which you now fill, and whose united voices approved his act when he summoned us around him to be his counsellors; and I felt that what was due to his memory, to the injunctions which he left us in his last dying words, and to the people, whose servants we are, had not all been performed until every means was tried, and every hope had failed of carrying out the true principles upon which the mighty movement was founded that elevated him and you to power.

This bill, framed and fashioned according to your own suggestions, in the initiation of which I and another member of your Cabinet were made by you the agents and the negotiators, was passed by large majorities through the two Houses of Congress, and sent to you, and you rejected it.—Important as was the part which I had taken, at your request, in the origination of this bill, and deeply as I was committed for your action upon it, you never consulted me on the subject of the veto message. You did not even refer to it in conversation, and the first notice I had of its contents was derived from rumor.

And to me, at least, you have done nothing to wipe away the personal indignity arising out of the act. I gathered, it is true, from your conversation, shortly after the bill had passed the House, that you had a strong purpose to reject it; but nothing was said like softening or apology to me, either in reference to myself or to those with whom I had communicated at your request, and who had acted themselves and induced the two houses to act upon the faith of that communication. And, strange as it may seem, the Veto Message attacks in an especial manner the very provisions which were inserted at your request; and even the name of the corporation, which was not only agreed to by you, but especially changed to meet your expressed wishes, is made the subject of your criticism. Different men might view this transaction in different points of light, but, under these circumstances, as a matter of personal honor, it would be hard for me to remain of your counsel, to seal my lips and leave unexplained and undisclosed where lies, in this transaction the departure from straightforwardness and candor. So far indeed from admitting the encouragement which you gave to this bill in its inception, and explaining and excusing your sudden and violent hostility towards it, you throw into your Veto Message, an interrogatory equivalent to an assertion that it was such a bill as you had already declared could not receive your sanction. Such is the obvious effect of the first interrogatory clause on the second page. It has all the force of an assertion without its open fairness. I have met and refuted this, the necessary inference from your language, in my preceding statement, the correctness of which you I am sure will not call in question.

Your veto to the first bill you rested on constitutional ground and the high convictions of conscience; and no man in my opinion, had a right to question your sincerity. I so said, and I so acted, for, through all the contest and collision that arose out of that act, you had my adherence and support. But how is it with respect to this? The subject of a bank is not new to you; it is more than twenty years that you have made it an object of consideration and of study, especially in its connexion with the constitutional powers, of the General Government. You, therefore, could not be, and you were not, taken unprepared on this question. The bill which I reported to Congress, with your approbation, at the commencement of the session, had the clause relating to agencies, and the power to deal in exchange, as strongly developed as the one you have now rejected, and equally without the assent of the States. You referred specially and with approbation to that clause, many days after, in a conversation held in the Department of State. You sanctioned it in this particular bill as detailed above. And no doubt was thrown out on the subject by you, in my hearing, or within my knowledge, until the letter of Mr. Botts came to your hands. Soon after the reading of that letter, you threw out strong intimations that you would veto the bill if it were not postponed. That letter I did and do most unequivocally condemn, but it did not affect the constitutionality of the bill, or justify you in rejecting it on that ground; it could

affect only the expediency of your action ; and whatever you may now believe as to the scruples existing in your mind, in this and in a kindred source there is strong ground to believe they have their origin.

If I be right in this, and I doubt not I am, here is a great public measure demanded by the country, passed upon and approved by the Representatives of the States and the people, rejected by you as President, on grounds having no origin in conscience, and no reference to the public good. The rejection of this measure, too, continues the purse with the sword in the hands of the Executive, from which we strove to wrest it in the contest which elevated your predecessor and you to power. I cannot concur in this your course of policy. In or out of office my opinions remain unchanged. I cannot abandon the principles for which, during all my political career, I have struggled ; especially I cannot be one of the instruments by which the Executive wields these combined, accumulated, and dangerous powers.

These, sir, are the reasons for the important step which I have felt it my duty to take, and I submit them as its justification.

I am, very respectfully, yours,

T. EWING.

To the *President*.

WASHINGTON, SEPTEMBER 13, 1841.

To *Messrs. Gales and Seaton* :

Gentlemen : Lest any misapprehension should exist, as to the reasons which have led me to differ from the course pursued by my late colleagues, I wish to say that I remain in my place, first, because I have seen no sufficient reasons for the dissolution of the late Cabinet, by the voluntary act of its own members.

I am perfectly persuaded of the absolute necessity of an institution, under the authority of Congress, to aid revenue and financial operations, and to give the country the blessings of a good currency and cheap exchanges.

Notwithstanding what has passed, I have confidence that the President will co-operate with the Legislature in overcoming all difficulties in the attainment of these objects ; and it is to the union of the Whig party—by which I mean the whole party, the Whig President, the Whig Congress and the Whig people—that I look for a realization of our wishes. I can look no where else.

In the second place, if I had seen reasons to resign my office, I should not have done so without giving the President reasonable notice, and affording him time to select the hands to which he should confide the delicate and important affairs now pending in this Department.

I am, gentlemen, respectfully, your obedient servant,

DANIEL WEBSTER.

#### The New Cabinet.

The following appointments have been confirmed by the Senate :

Walter Forward, Secretary of the Treasury.

John McLean, Secretary of War.

A. P. Upshur, Secretary of the Navy.

Charles A. Wickliffe, of Kentucky, Postmaster General.

Hugh S. Legare, Attorney General.

#### Appointments by the President,

*By and with the advice and consent of the Senate.*

William Hunter, (now Chargé d' Affaires,) to be Minister Plenipotentiary to Rio de Janeiro.

Edward Everett, to be Minister to Great Britain.

William Boulware, of Virginia, Chargé d' Affaires to Naples.

#### Secretaries of Legation.

John Lathrop Motley, of Massachusetts, to Russia.

Brantz Mayer, of Maryland, to Mexico.

Robert W. Walsh, to Rio de Janeiro.

#### Land Officer.

James Wilson, Surveyor of the Public Lands for the Territories of Wisconsin and Iowa.

James D. Doty, Governor of Wisconsin.

Major S. Churchill, to be Inspector General of the Army, in the place of General Wool, promoted.

#### Promotions and Appointments.

*By and with the advice and consent of the Senate.*

#### Promotions.

Commanders to be Captains, from Sept. 8, 1841.

- |                       |                      |
|-----------------------|----------------------|
| 1 John Percival,      | 7 William Mervine,   |
| 2 John H. Aulick,     | 8 Thomas Crabb,      |
| 3 William V. Taylor,  | 9 Thomas Paine,      |
| 4 Bladen Dulany,      | 10 James Armstrong,  |
| 5 Silas H. Stringham, | 11 Joseph Smoot,     |
| 6 Isaac Mayo,         | 12 Samuel L. Breese, |
|                       | 13 Benjamin Page.    |

#### Lieutenants to be Commanders.

Frederick Varnum, from the 8th March, 1841.

From September 8 1841.

- |                        |                         |
|------------------------|-------------------------|
| 1 Joseph R. Jarvis,    | 28 James Glynn,         |
| 2 Thomas W. Freelon,   | 29 Joseph Myers,        |
| 3 Samuel W. Le Compte, | 30 William C. Wetmore,  |
| 4 Charles T. Platt,    | 31 Thomas R. Gedney,    |
| 5 Wm. M. Armstrong,    | 32 John Bubier,         |
| 6 Wm. F. Shields,      | 33 Victor M. Randolph,  |
| 7 G. P. Pendergrast,   | 34 Jacob Crowninshield, |
| 8 Wm. C. Nicholson,    | 35 Frederick Engle,     |
| 9 James B. Cooper,     | 36 Alex. J. Dallas,     |
| 10 E. W. Carpenter,    | 37 John Rudd,           |
| 11 John L. Saunders,   | 38 Robert Ritchie,      |
| 12 Joseph B. Hull,     | 39 William W. McKean,   |
| 13 John Stone Paine,   | 40 Franklin Buchanan,   |
| 14 Joseph Moorehead,   | 41 Samuel Mercer,       |
| 15 Thomas Petigru,     | 42 Charles Lowndes,     |
| 16 John S. Chauncey,   | 43 L. M. Goldsborough,  |
| 17 Irvine Shubrick,    | 44 George N. Hollins,   |
| 18 John Kelly,         | 45 D. N. Ingraham,      |
| 19 Edmund Byrne,       | 46 John Marston, jr.    |
| 20 Edward S. Johnson,  | 47 Henry Bruce,         |
| 21 William H. Gardner, | 48 William D. Newman,   |
| 22 David G. Farragut,  | 49 Henry A. Adams,      |
| 23 Stephen B. Wilson,  | 50 Alex. B. Pinkham,    |
| 24 Edward C. Rutledge, | 51 James D. Knight,     |
| 25 William S. Harris,  | 52 Joseph Mattison,     |
| 26 Thomas A. Dornin,   | 53 William S. Walker,   |
| 27 R. B. Cunningham,   | 54 Alex. S. Mackenzie,  |
|                        | 55 George F. Pearson.   |

#### Passed Midshipmen to be Lieutenants.

John J. Almy, March 18, 1841.

Edward C. Bowers, April 26, 1841.

Nathaniel G. Bay, May 1, 1841.

From September 8, 1841.

- |                        |                          |
|------------------------|--------------------------|
| 1 Otway H. Berryman,   | 28 George T. Sinclair,   |
| 2 Thomas A. Budd,      | 29 John Mooney,          |
| 3 Andrew F. V. Gray,   | 30 Samuel R. Knox,       |
| 4 George J. Wyche,     | 31 Enoch G. Parrott,     |
| 5 Edmund Jenkins,      | 32 John Carroll,         |
| 6 T. A. M. Craven,     | 33 James McCormick,      |
| 7 Dominic Lynch, jr.   | 34 Richard S. Trapier,   |
| 8 Francis B. Renshaw,  | 35 Richard Wainwright,   |
| 9 Horace N. Harrison,  | 36 George M. Totten,     |
| 10 James H. North,     | 37 William D. Hurst,     |
| 11 Robert B. Pegram,   | 38 William Ross Gardner, |
| 12 Edward C. Ward,     | 39 William B. Renshaw,   |
| 13 Richard C. Cogdell, | 40 Carter B. Poindexter, |

Promotions and Appointments, Continued.

- 14 Edwin J. De Haven,

15 Charles Thomas,

16 Addison R. Taliaferro,

17 Richard L. Tilghman,

18 James H. Strong,

19 J. Madison Frailey,

20 Carlisle P. Patterson,

21 Augustus S. Baldwin,

22 Edmund T. Shubrick,

23 Stephen Dod,

24 Wm. B. Whiting,

25 Charles Hunter,

26 Benjamin F. Shattuck,

27 Thomas M. Brasher,
- 41 Henry T. Wingate,

42 Alonzo B. Davis,

43 Richard L. Love,

44 Wm. Reynolds,

45 Woodhull S. Schenck,

46 James L. Parker,

47 Lewis C. Sartori,

48 Wm. A. Jones,

49 Edmund Lanier,

50 John H. Sherburne,

51 Fabius Stanly,

52 Latham B. Avery,

53 James B. Lewis,

54 James J. Forbes.

Passed Assistant Surgeons to be Surgeons.

Daniel C. McLeod, July 23, 1841,  
Lewis Wolfley, July 29, 1841.

From September 8, 1841.

- 1 Lewis W. Minor,

2 William J. Powell,

3 J. Fred. Sickels,

4 N. C. Barrabino,
- 5 Henry S. Rennolds,

6 M. G. Delaney,

7 William F. McClenahan,

8 William L. Van Horne,
- 9 Daniel S. Green.

Appointments.

To be Assistant Surgeons, September 8, 1841.

- 1 A. A. Henderson, Pa.

2 John Hastings, Pa.

3 C. H. Broughton, Va.
- 4 R. T. Maxwell, Del.

5 Ed. McKinley, Pa.

6 A. P. J. Garnet, Va.
7. Hugh Morson, Va.

To be Chaplains, September 8, 1841.

Mortimer R. Talbot, of Pennsylvania.  
Moses B. Chase, of New Hampshire.  
Chester Newell, of South Carolina.  
Theodore Bartow, of Georgia.  
Joseph Stockbridge, of Maine.  
Samuel T. Gillet, \* of Indiana.  
William McKenney, of Maryland.

To be Pursers from the 13th Sept. 1841.

Andrew D. Crosby, of Louisiana,  
James S. Thatcher, of Maine,  
Lewis Warrington, jr. of District of Columbia,  
Frederick Stevens, of South Carolina,  
Robert S. Moore, of North Carolina,  
George H. White, of Pennsylvania,  
Henry M. Heiskell, of Pennsylvania,  
William A. Christian, of Alabama,  
Littleton Tazewell Waller, of Virginia.

Marine Corps.

Matthew R. Kintzing, of Pennsylvania, to be a Second Lieutenant, from September 8, 1841.

\* Formerly a Lieutenant in the United States Navy.  
National Intelligencer.

Flour of Sulphur.

The Dubuque (Iowa) Miners' Express, states that some miners recently sinking a shaft near that place, struck a large cave seventy or eighty feet below the surface of the ground, which contained large quantities of "Flour of Sulphur," similar to that obtained at the stores,

Boat building in Rochester.

A person needs to become intimately acquainted with the city of Rochester to form a just conception of the immense amount of business done here. Our city is justly celebrated for its large and numerous flour mills, and for the immense quantity of flour manufactured here in the course of the year. There are, however, other branches of business carried on on an equally large scale, of which comparatively little is known. We refer to the manufacture of iron ware and boat building. It is of the latter of which we shall speak particularly to-day.

There are in this city in all, eight yards in which boat building is carried on. In these there have been built within a year, about *one hundred and fifteen boats*—most of which are of the first class. The average value may be estimated at \$1,600 each, making an aggregate of *one hundred and eighty-four thousand dollars*. Add to this the sum paid for repairs upon old boats, which, in some yards go as high as from \$6,000 to \$8,000, and the sum total will be more than \$200,000! In these different yards there are employed more than *six hundred* hands, engaged building, preparing the lumber, &c. We have not been able to procure the amount of capital invested in the business except from one or two yards, but we shall present a full statement at the close of the year. From the above estimate, which is probably a low one, it will be readily perceived that this branch of industry is one of the most important carried on in this city. It ought to be borne in mind that these extensive operations have been maintained during a period of unexampled distress in the business relations of the country. This has of course suffered with the rest. The constantly augmenting trade of the Erie Canal, and the increased demand for boats when the new canals shall have been finished and the enlargement completed, will in a few years more than quadruple the boat building operations of this city. This place must become the seat of the business, as there is every facility for procuring lumber through the Genesee Valley Canal and from Canada.—*Rochester Democrat*.

Canal Receipts of Wheat and Flour at Cleveland.

As we are now at that period of the year when the old crop of wheat is deemed exhausted and the new is coming forward, we compile for the benefit of the trade such statistical information as we have yearly presented to them, under the belief that they will be found as interesting as heretofore, and valuable for future reference.

The receipts of wheat and flour at this port via the canal, from the opening of the navigation to the 1st of September, are as follows in the years named :

	Bus. Wheat.	Bbbs. Flour.
1838.....	688,658	194,473
1839.....	696,742	155,828
1840.....	1,367,350	334,185
1841.....	1,029,366	297,868

It will be seen by the above, that the deficiency in the wheat receipts here this year compared with the last is fully 25 per cent., and in flour 11 per cent. As opinions are now matured about the crop of wheat just cut, we give the receipts from the 1st of September to the close of navigation, for the years named, as a basis for an estimate of the probable receipts for the current year.

	Bus. Wheat.	Bbbs. Flour.
1838.....	539,863	88,308
1839.....	823,735	110,509
1840.....	784,100	170,715

The 1st of September being deemed by the trade the termination of the receipts of the crop of the previous year, the annexed table shows the receipts here for the years ending that date :

	Bus. Wheat.	Bbbs. Flour.
Sept. 1, 1838.....	890,696	291,836
" 1839.....	1,236,605	244,186
" 1840.....	2,644,856	503,247
" 1841 .....	1,813,466	468,583

[Cleveland Herald.

## District Court.

September 13, 1841.

*Minot vs. Bank United States.*—The plaintiff had brought several suits on different days, but all returnable to the same return day, on the notes of the defendants. A variety of other suits by different plaintiffs had also been brought under the same circumstances against the Bank. In all of them judgments had been entered for want of affidavits of defence. On the same day the judgments were taken, and before they were entered, Mr. Brooke, for the Bank, took a rule to show cause why all the actions brought by the same plaintiff, should not be consolidated. His reasons as stated were :

1. The saving of costs.

2. That on consolidation of the judgments, the Bank would, by entering bail in stay of execution, be entitled to the time allowed for sums over \$500. On all judgments over that sum, the defendant by statute is entitled to a year's stay. The plaintiffs had so brought their suits, that in all cases the judgments went for \$490. The effect of which was to give the Bank a stay for only nine months.

The Court had given the judgments upon condition that they should not prejudice this motion. No declaration had been filed, only the usual copy, on which judgments had been given in default of affidavits for defence.

Perkins for plaintiff, objected, because it did not appear that the several causes of action all existed at the time the first suit was brought, and that there were no declarations filed.

The Court refused the motion, on the ground that no declaration had been filed. The matter was discretionary.—But no instance had occurred of a consolidation before declaration. The nature of the causes of action would not appear on record till then. Some discussion having arisen, as to the power of the Court to consolidate for the second cause stated, a majority of the Court declared they would exercise it, and *had* done so on that ground, if there were no other difficulty.

The proper course as indicated by the Court, when no declaration is filed, but judgment is about to be asked, for want of affidavit of defence would be for defendant to rule, plaintiff to declare on return of the writ, and on the filing of the declaration to move to consolidate.—*North American.*

## Ante-Diluvian Remains.

ALLENTON, WILCOX Co. ALA., }  
August 25th, 1841. }

*Some account of very large fossil bones found during the present month in Clarke County, Alabama.*

Having been informed by Madam Rumor, that the bones of a large lizard-like animal 60 or 70 feet in length were on the plantation of Judge J. C. Creah of Clarke County, I went to the spot. The Judge told me that there was little probability of getting anything like an entire skeleton—that he had been anxious to get one for many years—that a few years ago, he had a Mr. Wilson on his plantation, of Wilcox, 3 miles from Judge C's, who commenced digging out the bones of one which appeared to approximate to something like a skeleton. They dug out 13 vertebræ, (this was in the fall) when they desisted from their labors, intending to resume them in the spring. In the spring Wilson informed the Judge, that the frost had caused the bones dug out, and left on the same spot, to crumble so that they were of little value—and so the matter rested. We repaired to the place—found 10 of the 13 vertebræ, in a tolerable state of preservation; and immediately begun digging for the remainder. After digging for several days, found 34 vertebræ, making with the other 10, 44, which were nearly entire.—These were generally found in a continuous line, nearly joined together. These vertebræ, are mostly from 12 to 16 inches in length, and from 6 to 12 inches in diameter, all measuring 50 feet in length! Only 3 of the tail and 2 of the neck vertebræ were found; besides many fragments of the ribs, and some few of the leg bones. We labored hard and sought in vain for a head. The head to correspond with

the other parts of the animal, must have been 10 or 15 feet long. Since very few of the tail and neck bones have been found to make the 50 feet in length obtained, the entire animal cannot have been less than 70 or 80 feet long! Some idea of the immense size of these bones may be formed, from the fact that they made two heavy wagon loads for two yoke of oxen, over a good road. They are now laid out at their length in Judge Creah's door yard, for the inspection of the curious. They will be shipped for New York towards the last of next December. These bones were found nearly at the foot of the hill, inclining at an angle of about 15 degrees. The tail vertebræ, were about a foot deep; those of the back increased in depth towards where the head ought to have been, till they were 6 or 7 feet beneath the surface. The soil has been in cultivation for thirty years; and to the depth of from one to two feet, is the rich black land peculiar to the prairies; beneath which is a whitish marl 2 to 4 feet thick, containing a few shells. At the depth of about 7 feet is a black clay or blue marl, soft and tenacious to the touch.—Many shark's teeth, oyster and other shells of species now living in the neighboring seas, are found scattered over and beneath the surface, clearly showing it to belong to the upper tertiary or miocene formation of Lyell. These bones belong to an extinct species of Saurian (or lizard-like animal) whose principal element was the water, called the *Basilosaurus* (or king lizard,) by Harlan, from some few bones received a few years ago at Philadelphia from Louisiana. Subsequently Judge Creah sent a few vertebræ, some ribs and part of a jaw bone to Philadelphia; an account of which was published in the transactions of the Geological Society of Pennsylvania.

These animals must have once existed in great numbers, especially in the vicinity of Judge C's, where in almost every limestone field, fragments of bones (mostly vertebræ) are scattered in profusion over the surface. Great numbers have been burnt to get them out of the way of the plough. The inhabitants have often used the vertebræ as andirons. Even now, cart loads of the broken fragments of different skeletons are there. These bones lie so near and upon the surface, and so many of them have been destroyed, that there is now little hope of getting anything like a perfect skeleton. Judge Creah has corresponded for several years with scientific men at the North, for whom he has been anxious to procure one without success. The nearest approximation to the skeleton of any one animal yet obtained, is that part of one now lying in the yard at Judge Creah's.

S. B. BUCKLEY.  
[*Mobile Register.*]

## Salt.

We congratulate our fellow citizens of the Grand River Valley, and of Western Michigan, upon the fortunate result of the undertaking of Mr. Lyon to obtain salt water at this place. His efforts are crowned with success co-equal with his wishes, and in one particular far exceeding his imaginings. For about eighteen months the work has been progressing—which many doubted, and all hoped, but few were sanguine of success. At a depth of about 300 feet indications of salt first became apparent, but for a long distance after, nothing further seemed to be gained, and many began to think they had been cheered for nought. The works were continued until the shaft had been sunk 661 feet, when the evidences were such that the operation of boring was suspended, and tubes sunk to ascertain the quantity and quality of the brine. On Saturday last (the 28th ult.) the tubes were put down to the depth of 360 feet, but little over half the depth of the well, when, to the joyful surprise of all, pure brine, of the quality of one bushel of salt to from 50 to 58 gallons, ascended and poured out of the tube with immense force.—*Grand Rapids (Michigan) Advertiser.*

## Highly Complimentary.

Within a day or two past, the Humane Society for the recovery of drowned persons, presented to Captain Henry Wilson a beautiful silver pitcher, as a complimentary testimony of regard for his generous and praiseworthy efforts in saving from drowning nine different persons.—*N. Ame.*



**English Decisions—Bank Stock.**

The following decisions appears to have a bearing upon the question between the Bank of Kentucky and Schuylkill Bank, in reference to the fraudulent issue of stock.

*Eden's Chancery Reports—Isley vs. Blackwall, 303.*

"The purchaser, on the other hand, trusted nobody but the Company. He was admitted to this stock, and accepted the transfer according to the terms of the original deed of contract. He must not be deceived by the Company.

"On the other hand, they must, and they ought, to answer for their own and their servants' negligence. And it will be of no public detriment if my decree tends to make directors of public Companies attend to the business of those Companies."

And the decree was, that the original proprietor should have her stock, which had been transferred under a forged power, restored to her, and that the Company, (the Million Bank Company,) should pay back to the innocent purchaser of the stock his purchase money with interest; and also, that the Bank should pay to the plaintiff and defendant, i. e. the original holder and innocent purchaser their costs.

*Davis vs. Bank of England.—2 Eingham's Reports, 407.*—Best, C. J. says—"We are not called upon to decide, whether those who purchase the stock transferred to them under the forged powers, might require the Bank to confirm that purchase to them, and to pay them the dividends on such stocks, or whether their neglect to inquire into the authenticity of the power of attorney, might not throw on them the loss, that has been occasioned by the forgeries. But to prevent, as far as we can, the alarm which such an argument, urged on behalf of the Bank, is likely to excite, we will say, that the Bank cannot refuse to pay the dividends to subsequent purchasers of these stocks. If the Bank should say to such subsequent purchasers, the persons of whom you bought were not legally possessed of the stocks they sold you, the answer would be, the Bank, in the books which the law requires them to keep, and for the keeping of which they receive a remuneration from the public, have registered these persons as the owners of these stocks, and the Bank cannot be permitted to say that such persons were not the owners. If this be not the law, who will purchase stock, or who can be certain that the stock which he holds belongs to him?—It has ever been an object of the Legislature to give facility to the transfer of shares in the public funds. This facility of transfer is one of the advantages belonging to this species of property, and this advantage would be entirely destroyed, if a purchaser should be required to look to the regularity of the transfers to all the various persons through whom such stock had passed. Indeed, from the manner in which stock passes from man to man, from the union of stocks bought of different persons under the same name, and the impossibility of distinguishing what was regularly transferred, from what was not, it is impossible to trace the title of stock as you can that of an estate. You cannot look further, nor is it the practice ever to attempt to look further, than the Bank books, for the title of the person who proposes to transfer to you.

*Journal of Commerce.*

**Explosive Shells.**

On Monday afternoon, Sept. 6, at 6 P. M. Dr. A. Jones, made a second experiment with his shells, near the Navy and War Departments, in presence of the Secretary of War, Commodore Warrington, the Secretary of the Treasury, Col. Bomford of the Ordnance office, Col. Totten of the Engineer Department, and several members of Congress and private citizens. On this occasion, we learn that the same simple tin shells, of larger size than those used on the first occasion, were, as in the first instance, thrown from the hand into the river, and in every instance exploded with great force. Seven were thus discharged; some were so regulated that they sunk to the bottom of the river before exploding, and then went off with great power, raising huge columns of the water above the surface; others were made to explode a few feet under the water, and others again immediately on striking

the surface. Several of them exploded with the report of a six or nine pound cannon, and sent the water in some instances more than 100 feet in the air. On one occasion, the quantity sent up was so great that it spread and fell in a heavy shower bath on shore, and wet the spectators so freely that it set them all scampering. To prove the safety of these shells, in handling them, the Doctor, in two or three instances, threw, them from his hand on the hard ground, and then kicked them about with his foot till the cases were indented, without going off. He then picked them up, and threw them into the river, when, in each case, they immediately exploded with great violence.

We are informed that the result of the experiments proved highly gratifying to all present. The Doctor has, in all, since he has been in Washington, thrown thirteen shells, without, in a single instance, failing to produce an explosion. These experiments although novel and interesting, are only intended by him as exhibiting what he expects to show, on a still larger scale, if he meets with proper encouragement from the National Government. He proposes to discharge this destructive shell from the largest piece of ordnance; which on leaving the gun, shall explode immediately and instantly on striking whatever it comes in contact with; and that, whether it falls in water or strikes the earth, houses or ships; thus making it a universal shell of great destructive power. Indeed if he were only to confine it to hand grenades, it would prove a valuable missile in warfare. It is the opinion we understand, of the distinguished officers present, that, in this respect alone, it will have the tendency to effectually prevent all attempts of one vessel to board another at sea.—And it is likely that in the same way it may be usefully employed to prevent the landing of troops from ships, when proposing to make a debarkation; and, also against the passage of cavalry, or other troops when attempting to cross a river.—*National Intelligencer.*

**Western Railroad.**

We learn that a remarkable disaster occurred to the Western Railroad track, in the town of Hinsdale, a few miles west of the Summit, last week. The track at that place is laid over a swamp, which had been filled up with dirt, and was supposed to be as firm and safe as any portion of the road. About fifteen minutes after the evening train had passed, on Thursday last, the track suddenly sank down in the water, to the depth of from twenty to thirty feet, for a length of about a hundred feet. Had the train passed over the road fifteen or twenty minutes later, no one could predict what what would have been the result; but it does not seem probable that many of the passengers could have escaped.—*Lenox Eagle.*

We understand that the embankment which sunk thus suddenly, was made two years since. The breach thus made in the road was immediately repaired. A large number of men were put upon it, and by working through the night, they had replaced the embankment before the arrival of the train on the following morning.—*Bost. Adv.*

**A Large Ship.**

A new ship called the *Camelia*, the largest merchant vessel owned in this country, is now lying in the harbor of New York. She is expected to carry 3,500 bales of cotton. The *Hottinguer* took 3,100.

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

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## Finances of Philadelphia County.

*Report of the County Board.*

At an adjourned meeting of the County Board, on the 13th of September, 1841, Mr. Reed made the following

### REPORT.

At the last meeting of the County Board the following Resolution was adopted.

"Resolved, That a Select Committee of this Board be appointed whose duty it shall be to inquire and report on the causes of the increase of the expenses of the County of Philadelphia the most effectual means of preventing the same."

In pursuance of this Resolution the undersigned were appointed, and now report the result of their inquiries. They have bestowed much attention on the subject referred to them and believe that if no other advantage results from the exposition of the fiscal affairs of the county than to attract public attention to the subject, the Committee will be fully compensated for the labor they have undertaken and performed. A precise and detailed exposition of the financial condition of the county and its relations to the community has been much needed. The annual statements of the commissioners, burthened as they necessarily must be by details of receipt and expenditure, are rarely examined or understood. And while the fiscal concerns of the city and incorporated districts are from time to time the subject of public and official scrutiny and supervision, those of the county, equally important, have been, from the peculiar organization under which they are administered, in a great measure exempt from both. A very large amount of capital is invested in the funded debt of the county for the redemption and protection of which the public faith is sacredly pledged. Property to the amount of millions is subject to taxation imposed for county purpose and by county officers. A revenue, solely the proceeds of direct taxes, amounting on an average to \$350,000 is received and disbursed by the same officers—and yet it may be safely assumed that neither the community nor those who are directly interested by the investment of their capital have such a knowledge of its affairs as they ought, or may be supposed to desire to have.

The Committee propose in obedience to their instructions to state under different heads this information, and then to recommend to the Board such measures of legislation as in their judgment ought to be adopted.

### I.—Income and Expenditure.

The committee have commenced their inquiries with the year 1836, and terminated them with 1841, taking for their guide the annual statements made on the 1st of January of those years. They will give such an average of revenue and expenditure as may be safely relied on, comprising periods at which there was, in the opinion of the committee, very extravagant expenditure, and periods at which the necessity of economical retrenchment was sensibly realized.

I. *Income—Being the nett annual revenue, exclusive of the proceeds of loans and balances in the Treasury.*

In 1836 it was .....	\$416,864
1837 .....	242,848
1838 .....	265,562
1839 .....	317,411
1840 .....	381,159

Or an average of annual income of \$324,768 in five years.

2. *Expenditure—Including interest and temporary loans, &c.*

In 1836 .....	\$745,982
1837 .....	396,673
1838 .....	569,326
1839 .....	641,417
1840 .....	497,518

Or an average annual expenditure of \$570,183—being an excess of expenditure over income of \$245,415.

During that period, the public debt of the county (funded) was as follows:

On 1st Jan. 1837 ... ..	\$ 655,491
1838 .....	889,399
1839 .....	1,150,979
1840 .....	1,380,379
1841 .....	1,498,337

This may be taken as a general statement of the financial condition of the county during a given number of years, and the attention of the committee was immediately directed to the conclusions to be drawn from it, and the course of policy which these results suggest. It is manifest that some immediate action is necessary; and the first inquiry is how the available means of the county can be so used as to make them exceed the demands on the Treasury, without imposing new and excessive taxation on the people. This can be done by but one of two modes—an increase of revenue or a retrenchment of expenditure.

### II.—An increase of revenue.

The income of the county is derived mainly from taxation. An estimate of the probable demands on the Treasury is made at the beginning of the fiscal year, and that amount, with the expenses of collection, is assessed according to certain arbitrary rules, on the persons and property of the citizens. This amount and the rate, was formerly fixed by the Commissioners. It is now fixed by the County Board, composed of the Senators and Representatives for the time being, for the city and county of Philadelphia. By law, no rate of taxation thus imposed, can exceed one per cent. or one dollar on the \$100 of valued property. The rate fixed for 1841, is 98 cents in the \$100, which it is estimated will produce (say) \$500,000.

The first question is, whether the Legislature should be asked to increase the maximum of taxation to which the County Board can now go, and whether if such authority were given it should be exercised. In other words, whether at present, or for the next coming years, the county tax should be increased beyond the one dollar rate. The committee are of opinion that it is not expedient to raise the rate, and for the reason, as they think they can show, that it will not be necessary.

It would be an extreme necessity which would induce a resort to great municipal taxation. It is manifest that the taxes to be imposed by the Commonwealth for many years to come, cannot be reduced, and on real estate may be increased. If, at the same time, the municipal taxes be increased, a state of discontent may be produced, the effects of which it may be difficult to calculate, and in those portions of the community wherein the greatest public revenue is derived, the discontent will be proportionally increased. Of

the taxes now derived from real estate in this community, but little beyond ten per cent. is imposed for the State.—Real estate in the city of Philadelphia valued at \$10,000, pays but \$10 for State purposes, whilst for municipal purposes, city, county and poor tax, it pays \$80 or \$90; and even in the rural districts of the county, the burthen of municipal taxation is not less severe. In the borough of West Philadelphia, for instance, real estate worth \$10,600 pays an aggregate of \$89 24: thus apportioned, county tax \$42 80: borough tax \$21 83; poor tax \$14 55, and State tax but \$10 86.

It is proper here to remark, that heretofore the county rates have been imposed on an arbitrary valuation of real estate, being 40 per cent. of the real value. It is with reference to this rule that the maximum has been fixed at \$1 in the \$100. By the law of last session of the Legislature, the assessment is to fix the real value—so that a tax of 40 cents in the \$100 will be as productive as the rate of \$1 now is.

If, as is at least possible, the State tax be raised a half mill, or a mill in the dollar, and at the same time the local taxes be raised also, it will at once be seen how oppressive the burthen will be. It is, therefore, much to be desired that if possible the local taxes should be reduced—certainly that they should not be increased.

The income of the county being thus mainly from taxation, and the committee believing, that if possible taxation should not at present be made more burthensome, there is little reason to believe, that any considerable increase of county revenue can be relied on. The maximum of revenue, from taxes, the committee estimate (at \$1 per \$100) \$500,000 for the current year: More cannot be relied on.

There is one source of revenue hitherto wholly unproductive, to which the attention of the committee has been anew directed, and in relation to which additional legislation may be necessary. It is the revenue which should be derived from fines and forfeited recognizances. It is scarcely credible, and yet the fact is undeniable, that from the large amount of recognizances taken by the Court and Magistrates of this city and county, and periodically forfeited, not one cent has for many years been recovered. For a long time, this resulted from the neglect of the Clerks to estreat and certify the recognizances when forfeited. For many years no returns were made, and no collections attempted. The committee are glad to ascertain that for some time past a strenuous effort has been made by the Solicitor appointed by the Commissioners, to enforce collections and carry into effect the intention of the law. But with all the effort, he has been able to accomplish little or nothing. The evil lies deeper than an imperfect execution of the law. So long as the present system of taking bail in criminal cases continues, and the Magistrates receive a fee for taking recognizances, so long will the evil exist. In a single term, out of ninety-five cases, when recognizances taken by Magistrates were sued out, in seventy-six the process was returned *non est inventus*—and in no one, was a recovery had either against principal or surety. Considerable trouble and expense has been incurred by the Solicitor, for which he is entitled to compensation.

The committee see no remedy for this, but the enactment of a law applicable at least to this community, embodying the following features: 1. The prohibition of all fees or charges of Magistrates for taking recognizances in criminal cases. 2. Prescribing a uniform form of recognizances to be taken, not on the dockets, and to be regularly returned to the Attorney General. 3. A change as to the mode of ascertaining the character of bail, so as to require proof aliunde, instead of mere justification. 4. Making recognizances in certain cases, either according to the amount or the nature of the offences (say in felonies) a lien on the real estate of the recognizers; the lien to ensure either from the date of recognizance or its forfeiture.

Any person examining the annual accounts of the Commissioners, must be struck with the fact that nothing appears to be received at the Treasury from the numerous fines which are imposed by the Courts of criminal jurisdiction in this county. These fines are collected by the Sheriff, and the apparent omission to return them has resulted from an

improper mode of settling the Sheriff's accounts with the county, to which the committee will call the attention of the Board. The Sheriff receives large sums of money for the county, and in its turn the county is from time to time indebted to the Sheriff. Instead of rendering separate accounts, and having them severally audited, a practice has for many years been pursued by which the debits and credits of the Sheriff are by him stated in a single account, a balance struck, and this adjusted account submitted for revision to the auditors. The result is not only that a balance always appears against the county, which is no doubt generally due, but nothing is known of the actual receipts and charges.—The only credit which the committee find on the published accounts, for money paid to the county by the Sheriff, is \$221 paid in 1835 by Sheriff Strembeck. Since that period the balances thus adjusted and annually paid by the county to the Sheriff, are as follows:

1836 .....	\$2,441
1837 .....	4,072
1838 .....	4,000
1839 .....	4,797
1840 .....	6,036

Or an average charge on the county of \$4,269. This expenditure the committee doubt not may be much reduced. On one point the committee have no doubt that immediate provision should be made by law, to require the Sheriff to pay into the Treasury monthly all that he receives from any sources for the county, and regularly to render his separate accounts against the county, to be audited and proved as other accounts are.

A suggestion has occurred to the committee, of which they are inclined to think favorably, but which requires more mature consideration than they are now able to bestow on it. If the plan referred to can be made effectual, it will secure a considerable addition to the public revenue. It is to make the county officers, such as the Recorder, Register and Prothonotaries, salaried officers of the county, and to oblige them to account for and monthly pay over to the County Treasurer the fees which they receive. By fixing moderate salaries to these now very lucrative offices, and enforcing a strict accountability as to the receipts, even with the existing charge for State purposes, the county would in the opinion be largely the gainer.

It will be, however, understood that the committee contemplate no such change in these respects as will affect present incumbents. But as the election of county officers takes place in 1842, the proposed alteration of the law should be so far prospective as to go into operation immediately on the election of new officers. No possible injustice would then be done.

### III.—*Retrenchment of Expenses.*

To this point the committee have particularly directed their attention, believing, for the reasons already stated, that in this mode only, no material increase of revenue being probable, can the financial condition of the community be restored. Appended to this report is a tabular statement of the principal items of expenditure in a series of years, to which the committee will presently direct attention. What is desirable and actually necessary to a restoration of the county credit, is such a retrenchment of expenditure as will bring it within \$400,000 per annum, and provide for an adequate and permanent sinking fund, steadfastly and honestly applied for the redemption of the county debt. If this point can be obtained, and such economy be resolutely adhered to for a few years, it is probable by the natural appreciation of property and increased value, as ascertained by assessments, that the taxes may be gradually reduced.

As a mode of enforcing this economy, the committee are aware of no one more certain than a direct and regular mode of paying claims on the county. The mode of paying debts in county stock, is the worst and most thriftless that can be resorted to. It is scarcely honest. It is alike injurious to creditor and debtor. To the creditor, it gives but part of what is due to him. To the debtor, it gives that facility of credit which necessarily leads to its abuse. In the very item of road damages, in relation to which this system has been

most commonly resorted to, nothing is saved in the end.—The depreciation of the medium in which the claim is to be paid, will be taken into consideration by the Jury in estimating the damages, and a new debt will be incurred without anything like an equivalent. It is to be hoped that hereafter a different and more direct mode of liquidating claims on the county will be adopted, and no debts incurred which cannot be at once regularly discharged.

A single general remark as to the character of the public expenditure. The expenditure of 1839 was \$641,417—of 1840 \$497,518. This disparity was caused by the cost of the Permanent Bridge at Market street, which may be stated at a little over \$80,000. The expenditure of 1841, will show a similar increase for the bridge at Callowhill street of \$45,000, and a culvert of \$50,000. The average already given of \$504,000 for five years, may however, be considered as fair.

Of the expenditure of 1839.....\$641,417  
The items for courts, schools, roads and prisons.. 403,803

Of the expenditure of 1840.....\$497,578  
The same items made ..... 346,675

Of the estimates for 1841 .....\$503,804  
The same items made..... 305,090

Whatever effectual retrenchment is to be made must be in these items, though as will presently be shown in others of less amount, considerable saving may be effected. The committee are happy to observe in many items a great retrenchment has been made. In that of bridges, the expenditure in 1836 and 1837 was \$10,000 each; in 1838 it was \$15,000; in 1839 it was nearly \$50,000, exclusive of the purchase of the Permanent Bridge; while in 1840 it was reduced to less than \$2000. The estimate for 1841 is \$6000, which is probably more than will be needed.

The expenses of elections are not, the committee think excessive, being on an average less than \$6000 per annum.

The committee now proceed to notice the larger items of expenditure.

#### 1. Coroner's fees.

By reference to the annual account, it will be seen that the amounts paid to Coroners since 1836 have averaged \$5600 per annum. Such an expense the committee are satisfied is excessive, and has no equivalent in any public benefit. On examining the Coroner's returns, it is apparent that many inquests are held in cases never contemplated by law, and where no possible advantage results to the public. The duty of the Coroner is to hold an inquisition, with the assistance of a jury, over the body of a person who may have died of a *violent death*—not on the body of every person who dies of disease which is only so far mysterious that it baffles the skill or sagacity of the physician—and clearly not on those who die however suddenly or unexpectedly of well defined disease. Yet in the inquisitions held in this county, both recently and formerly, the committee find cases, each one of which costs the county at least \$14, where the inquests have deliberated and decided on deaths by Dropsy, Consumption, Venereal Disease, Convulsion, Apoplexy, Emaciation and Whooping Cough! To this practice only can be attributed the great number of inquests, amounting in seven months of 1841 to 240—of which a considerable portion are either cases of the kind referred to, still born infants without suspicion of infanticide, or that uncertain class of cases, usually referable to acute diseases, of deaths by the visitation of God.

The committee think that legislation should be resorted to to prevent these abuses, the result they believe of long practice. Each inquest, as has been stated, costs on an average fourteen or fifteen dollars—of which the Coroner's fee is \$4 37½—Jury \$3—and burial expenses \$7. The committee think that the Coroner's fee should be reduced one-half—the Jury to consist of six instead of twelve, without pay, and that some effort should be made by the commissioners to reduce the amount charged for burials. This

would reduce the charge on the county one-third of what it now is.

By an act of 27th May, 1841, any Justice of the Peace is required and empowered to hold inquests when there is no Coroner—when he is absent from the county, unable to attend, or when his office is held more than ten miles from the place where the body is found. The committee think these provisions may be advantageously extended—so as to require any Justice to hold an inquest when the Coroner is not within the ward or township, and that it be done under strict supervision of the Court of Quarter Sessions as to the fees to be charged.

#### 2. Roads and Streets.

This, with a single exception, is the heaviest item in the county expenditure, and that in which retrenchment is most needed. For five years the average expenditure for streets and roads has been \$106,700—the largest amount being \$143,000 in 1836—the smallest \$58,000 in 1837. In 1840 the amount expended was \$62,259, and for the current year the appropriation has been at the utmost but about \$15,000.

The bulk of this most oppressive charge upon the county has been imposed by a system of special legislation, which cannot be too much reprobated. By the general laws of the Commonwealth any street or road not exceeding fifty feet in width can be authorized, and on payment of damages opened by the action of the Court of Quarter Sessions, on petition, inquisition by jury and revision by the Court. At any stage of the proceeding the county has a chance of being represented and its interests can be protected. To avoid this, availing themselves as a pretext, of the limitation in the general law, parties interested have found it convenient to resort to Harrisburg, and there without notice of the due consideration which a judicial inquiry involves to obtain special legislation authorizing the laying out and opening of wide and expensive avenues. To what extent this system has gone will appear from the following statement taken from a communication made last winter by the County Commissioners to the Senate. It is a statement of great import. It purports to be a return of the amount of damages paid or adjudged to be paid by the county for opening or widening streets in the county of Philadelphia, *under special acts of Assembly*, since the 1st of January, 1835. It is as follows:

<i>Kensington.</i>	<i>Damages paid and awarded.</i>	
Franklin Street	155,003—Act 8 April, 1833.	
Duke “	23,903 “ “	
Otter “	10,199 “ “	
Allen “	2,525 “ “	
Oxford “	4,600 “ “	
Wash'n “	46,704 “ “	
Norris “	1,050 “ “	
<i>Moyamensing.</i>		
Prime Street	28,449 “ 27 Feb. 1838.	
<i>Spring Garden.</i>		
Penn'a Avenue	27,870 “ 8 April, 1833.	
Columbia “	106,360 “ 16 May, 1836.	
<i>Penn Township &amp;c.</i>		
Broad Street	25,714 “ March, 1839.	
<i>Northern Liberties.</i>		
Callowhill Street	29,305 “ 21 April, 1840.	
<i>Southwark.</i>		
Wharf Street	18,200	
	<hr/> \$478,982	

Add to this the sum of \$141,636 (as per Report to Senate in 1834) incurred under special acts prior to 1835, and the aggregate will be \$620,618, or more than one-third (nearly one-half) of the whole County debt thus imposed. It is due to the present County Board, to say, that during the late session of the Legislature, not a single act of the kind was passed, and one which had not been carried into execution and which threatened a very heavy expense was re-

pealed. The committee cannot omit the expression of an earnest hope that this practice may never again be resorted to. The prevention is, however, with the people.

It would be far better to extend the authority of the courts than by fixing limitation to the width of the streets, to give a pretext for this special and ill considered legislative action. Then at least the parties interested to resist improvements, generally recommended by local views, might be heard and the rights of the public through its constituted local authorities could be asserted for the protection of the public treasury. And not only is this mode of legislation highly injurious to the community at large, as a matter of economy, but it is palpably partial and unjust. Such inequality will always exist when the public money is distributed by those who have no local knowledge to guide them. The committee are of opinion that the General Road laws in their application to this county should be modified, and are willing even to go so far as to recommend that hereafter no new streets or roads be opened or widened, unless all claims for damages against the county be released. Then those who find their benefit in the improvement will see their advantage in paying for it, and on those to whom it is an advantage, will the burthen fall as it ought.

The inducement so much relied on to justify these heavy expenditures, that the appreciation of property by the widening or opening of a street or road, adds to the revenue of the county by the increase of assessment, will be found to be illusory. Besides, if there be such an appreciation of property, it is but fair that those who are thus benefited should pay ratably for the advantage they derive.

The committee are aware how ungracious it is to suggest to an active and enterprising community the propriety of arresting what are called improvements. It has however ceased to be a matter of choice. It is a matter of strict necessity—and in their opinion, until the public credit be re-established and the public revenue equal or exceed the expenditure, *no more streets or roads at the County expense should be opened or widened by either the Courts or the Legislature.*

3. The Courts.

The average expenses of the Courts of this County for five years has been \$54,803—being in 1836 \$43,704, and in 1840 having become nearly \$66,000. Of this amount (the average) the Civil Courts cost \$20,902; the Courts of Criminal Jurisdiction \$33,902. There is but one Criminal Court and at least four Civil Courts, three of which are constantly in session. Since 1836 the increase of expenditures in the Civil Courts has been about \$3,649—that of the Criminal Courts \$18,599.

At the regular session of the County Board their attention was especially called to this subject, and the result of their deliberation was the reduction of the estimates for the expenses of the Criminal Court from \$65,000 to \$45,000, and the expression of an opinion that within that limit they ought to be kept. Should these expenses go on increasing, the result will necessarily be a thorough and complete re-organization of the system, and either a return to the local courts which formerly existed or the institution of some new and less expensive tribunals. The committee has no desire to contemplate either of these results, but express the earnest hope that through the efficient co-operation of the Judges and other officers of the Court, a more economical administration of Justice may be effected.

The Judges have suggested that the expense of carrying prisoners to and from prison should not be a charge on the county, but should be defrayed by the Sheriff who receives on each prosecution a taxed fee which may be supposed to have been intended to cover such expenses. In this suggestion the committee concur. It is within the spirit of existing laws and ought at once to be specially and expressly provided for. The cost to the court, of transporting prisoners, is not less than \$1,400 per annum, which might thus be entirely saved. There are other minor matters connected with the police expenses of the Court which the committee do not doubt the Judges are sincerely desirous to retrench, and which they trust will not be lost sight of.

It is much to be regretted that some additional accommo-

dations could not be given generally to the Courts and to the public officers, but in the present state of the county finances the committee have no hesitation in saying that no new expense of this or any other kind ought now to be incurred.

4. The Public Schools.

In 1836 the expense of the School Department was \$71,825. In 1840 it was \$151,022—and the appropriation for 1841 is \$165,000—or an average in six years of \$116,996. With respect to a diminution of this part of the public expenditure a difference of opinion exists in the committee, which will prevent them (their desire being that all the suggestions they make should be considered the suggestions of the whole committee,) from further indicating their views than by urging on the controllers of the Schools the necessity of such rigid economy in their disbursements as will not interfere with the efficiency of the system. No difference of opinion can exist as to the beneficial operation of the system of common schools—no imputation is meant to be directed by any one of the committee at the past or present administration of the existing system, but as friends of the system and in view of existing and prospective embarrassments in our public finances, the possible withholding of the State appropriation from inability to pay it, and other considerations, we do no more than our duty in expressing the conviction that the greatest danger which threatens the School system among us is from the increase of expenditure, and with it the increase of the public burthens. The following statement shows the expenses and results of the system during the last five years:

Cost of Schools chargeable on County.		Scholars.
1836	71,825	11,127
1837	59,999	17,000
1838	97,383	18,794
1839	156,748	21,968
1840	151,022	23,192
1841	appropriation 165,000	estimated 27,500

5. The Prisons.

The annual charge on the County for Prisons exclusive of the interest on the Prison loans and new buildings for the last five years, has been \$56,339. Add the interest on the prison loan \$3,840 and it amounts to \$60,179. The appropriation for 1841, is 63,340, thus distributed:

County Prison—convict department	\$16,000
“ vagrant	20,000
“ debtors	2,500
Fuel.....	2,000
Eastern Penitentiary.....	10,000
House of Refuge.....	9,000
Interest on loan.....	3,840
	<hr/>
	\$63,340

Of the prison expenses of any given year (1840 for example) the following distribution may be made:

Expenses of support of vagrants and untried prisoners	\$18,881
“ “ convicts, (county prison)	25,000
“ “ “ (E. Penitentiary)	8,042
“ House of Refuge	9,000
Miscellaneous	6,547
Interest	1,596
	<hr/>
	\$69,066

Of the economy of the prison system in this county the committee have had no means of judging, but they have no reason to doubt that a proper supervision of expenditure is maintained.

By the present law no convict can be sentenced to the county prison for a greater term than two years. All whose sentences go beyond that term, are sent to the Eastern Penitentiary. The committee confess themselves unable to see why under the existing penal system this distinction



should be made, and two prisons similarly administered be chargeable on the county. Without, however, considering this question, they are clearly of opinion that considerations of palpable economy exist to induce the Legislature to extend the limitation and authorize sentences for four or five years to be made to the county prison. The effect of the present law in connexion with the system of solitary confinement with labor, is to fill the prisons with those who merely serve an unprofitable apprenticeship. By the time the trade is learned and the prisoner ceases in his inexperience to be wasteful, his term of service expires, and he is succeeded by some other who is to be an equal burthen. Out of an average of two hundred prisoners in the county prison not more than one half are working hands—hence a disproportionate expense of this department.

The committee are happy to state that a renewed effort is contemplated by those who administer the prisons to retrench the expenses, and that at the county prison to which their attention has been mainly directed, a confident hope is entertained that considerable reductions will be effected.—The same disposition exists at the Eastern Penitentiary. In one particular, however, no control can be exercised by the Inspectors. So long as magistrates are permitted to imprison for “further hearing” and then discharge on payment of costs, or indeed so long as the power of imprisonment even finally for trivial offences is exercised without supervision, the burthen of prison expenses cannot be materially lightened. A power should be at one given to the Judges in conjunction with the Inspectors periodically to examine the causes of commitment, and discharge such prisoners as in their sound discretion, may be deemed proper objects for their interposition. Any one at all familiar with the course pursued in relation to prisoners thus committed, will see the necessary effect of such a measure.

The laws too on the subject of vagrancy should be completely revised.

#### 6. Board of Health.

It was the intention of the committee to examine the expenditures of this department in detail, but they have been prevented by want of time from doing more than stating results. Since 1836 the amount paid directly by the County for the support of the Health establishment is \$54,000—or an average of \$10,800 for five years. This, however, is understood to have been caused by the extinguishment of the Cholera Debt, and the purchase of the present Health Office in the City of Philadelphia, and no requisition for either the current, or the ensuing year. Appended to this Report is a communication from the Board of Health, in reply to a call from the committee. It was, however, received too late to allow the committee to examine it with the attention it deserves. The committee are unable to form any judgment on the suggestions contained in this communication. They, however, sincerely hope that the anticipation of the Board as to an increasing revenue and diminished expenditure, may be realized, and that nothing will be allowed to interfere with such a strict economy of resources as in this and every department of the county administration is so much needed.

#### IV.—The Funded Debt.

Although not strictly among the objects referred to the committee, the subject of the funded debt of the county is entitled at least to an incidental notice at their hands. A vast amount of capital has been voluntarily invested in it, and under the authority of law it is made an investment for the property of minors, trustees, and others whose rights the law means to protect. It is distributed in sums varying from \$100,000 to \$50,000—and is held by citizens as well as foreigners. Its amount as above stated is \$1,498,000 and the annual amount of interest on it is in round numbers, the rate being five and six per cent. \$85,000. The security on which it rests is the legal obligation of the county as a municipal corporation which may be enforced by legal process, and the personal and real estate of the whole city and county worth at the last assessment upwards of one hundred and

fifty millions of dollars. Its price as a marketable article is 80 for the 100 of five per cents. and par for the six per cents.

The first matter which has attracted the observation of the committee is the market value of the county stock relatively to other securities of the same description. The State 5 per cents. command the same price, whilst the city stock (5 per cents.) commands a much higher price, the last sales known to the committee being 98 for a par of \$100. No other comparison with reference to ultimate security can be made with state stock than this, the only security for state debt is the public faith as pledged by law without any mode by process of law to enforce its payment. Against the city and the county, there is a mode of enforcing liability of equal efficacy. The interest on each is punctually paid in coin or its equivalent.

The value of the county stock in the foreign market may depend on a variety of considerations too minute to be here detailed. Superior facilities may be given for the disposal of the city stocks—the relation of the *City* as a municipal corporation may be better defined and more intelligible to distant capitalists than those of the county—but there are causes operating on the credit of the county at home more palpable, and which may be easily obviated. The two that most naturally suggest themselves are the want of such an organization of county officers as to inspire full confidence that its financial condition is the object of careful guardianship and supervision—and above all the want of a secure provision by law for the ultimate liquidation of the principal of the public debt.

To the latter part the committee has mainly directed their attention. It will require and no doubt command the early attention of the Legislature.

Two plans have occurred to the committee, the one requiring the consent of the loan holders and therefore not so easily accomplished. The other a measure which only needs legislative sanction to carry it into full effect.

The loans of the county are payable at different times between 1860 and 1873, and bear a different rate of interest, the largest portion however being at 5 per cent. It would be very desirable to consolidate these loans and to defer the period of their payment to such a time as to make an annual appropriation to the sinking fund as little burthensome as possible. In this way the sinking fund would be made part of the contract. This would probably be an inducement to the loan holders to agree to the reduction of the rate of interest on certain portions of the loan, so as to make the whole consolidated loan bear an interest of 5 per cent. If the loan be made reimbursable in 1880, the annual appropriation of \$35,000 to a sinking fund would entirely discharge it.

If this plan be not adopted, provision ought to be made without delay for the punctual liquidation of the existing debt. A law ought at once to be passed creating a commission for this purpose, and the committee believe with the sinking fund should be combined an interest fund, which would secure beyond all doubt, the punctual payment of the interest as it fell due. The features of the plan the committee recommend are the following:

1. That certain portions of secure revenue be not only pledged but actually paid over to commissioners, to be called Commissioners of the Interest and Sinking Fund.

The proceeds of the taxes for the current year will not be less than \$500,000. The amount of interest payable in specie will not exceed \$55,000. Not less than \$35,000 should be applied to a sinking fund, making in all \$120,000. This sum from the tax income as it is realized should be paid over to the commissioners.

2. These commissioners should be required to invest the moneys thus paid over to them, either by the purchase of the county stock, at a price not above par, or in such other certain public securities as may be designated. They should also at such times as the half yearly payments of interest are to be made, realize and pay over to the treasury, the amount required to meet the same.

3. The commissioners should be public officers, so selected as to combine as far as possible permanent official tenure with a direct responsibility to the public, whose interests



they are to guard. They should not be so numerous as to make it difficult to convoke them. The committee indicate the following persons as combining these qualifications:—The Judges of the Court of Common Pleas, the County Treasurer, and the Senators for the time being, for the city and county of Philadelphia.

The committee do not doubt that such an enactment would have an immediate and material effect on the public credit and the value of the county stocks. It is due to the public creditors, to those who relying merely on the public faith, have advanced their money to defray expenses which the county has deliberately incurred. It is due also to those who are to come after us that the day of payment of the debt we have incurred should be anticipated, and the promise to pay be not found to be illusory. The committee would be willing to go one step further, and as representatives of the city and county, by statute forbid any further increase of the city or county debt, without special legislative authority, and extend the prohibition to all the incorporated districts of the county, a maximum first being ascertained which sound economy might justify or actual necessity require.

Such measures as these with such a re-organization of the county administration as may be needed or even without it, will re-animate its credit, and make its stock as eligible as that of any municipal corporation in the Union.

Connected with this, the committee will direct the attention of the Board, to the last matter which they have been able to consider, viz:

*V.—The re-organization of the County Board, &c.*

Until the year 1834 the affairs of the County of Philadelphia were administered wholly by three commissioners, one of whom was elected annually by the people. The commissioners appointed the Treasurer. In 1835 the County Board was created by law. It consisted of the Senators and Representatives for the time being in the Legislature from the city and county of Philadelphia. The functions of this Board have varied from time to time, and are now merely to fix the rate per centum of tax and authorize loans, the proceeds of which they can specifically appropriate. Over the proceeds of taxes they have no control. The Treasurer is now elected by the people.

This system, however defective in detail, has unquestionably operated very successfully. The supervision of the Board has been salutary. It may, however, in the opinion of the committee be made still more direct by giving to the Board the power of specifically appropriating the proceeds of the taxes as well as of the loans, and requiring of them constant and periodical meetings. Loans are no less burthens on the people than taxes, and there is no reason why the proceeds of the one should be more exempt from control in its disbursement than the other. If with this power conferred on the Board its members be required to meet, at least during the recess of the Legislature, at stated periods, and the condition of the county affairs be submitted to them, far greater confidence would be reposed in the county administration and in the opinion of the committee the system be rendered as efficient as possible.

The committee in concluding this report earnestly commend the facts stated in it to the attentive consideration of the Board and their fellow citizens. They are in every way worthy of it. They have been stated candidly and in a spirit of entire impartiality. In the suggestions they make, the committee are unanimous. Every matter of opinion on which the committee have differed has been purposely suppressed, in order that the suggestions they have made should have the full effect which unanimity alone can give them. No political feeling has had influence with the committee, and none, they are sure will operate on the Board.

It is earnestly hoped by the committee that some, if not all the measures of retrenchment and reform which they have recommended, will receive the early attention of the Legislature.

WILLIAM B. REED, }  
E. A. PENNIMAN, } Committee.  
WILLIAM BONSALE, }

Philadelphia, September 13, 1841.

*National Gazette.*

**Curious Discovery.**

A correspondent of the N. Y. Journal of Commerce writing from Canandaigua, says:

"A discovery has been made in this part of the country which has excited no little curiosity. A sturdy oak, one of the primeval settlers, had been felled, for the purpose of being converted into ship timber. During the process of sawing, a number of incisions were discovered which had evidently been made with some sharp instrument of iron or steel, and these cuts were found to be 400 grains from the outer bark, each grain being the growth of one year. According to this idea, this country must have been traversed 400 years ago by men accustomed to the use of iron and steel instruments; but whether of their own manufacturing or not, must at present remain a mystery."

**Boston and Maine Railroad.**

The cars were run Wednesday, for the first time, into Dover, with about 200 stockholders and passengers. The first run was very successful. After about five hours spent in that large and beautiful village, they returned to the city at 7 o'clock. The road will be open for the public in a few days. We learn that the company contemplate continuing the road, this fall, to the line of the State, and Great Falls.

*Boston Mercantile Journal, Sep. 2.*

**Crime in New Orleans.**

During the late session of the New Orleans Criminal Court, commencing December 21st, 1840, and ending July 30th, 1841, there were 314 cases tried. Of that number, 82 were acquitted and 232 convicted. It thus appears that three fourths of those who are tried, are convicted. Of those convicted, 97 were for larceny, 70 for assault and battery, 6 for burglary, 4 for robbery, 16 for various kinds of forgery, 9 for "contravention of law" by free colored persons, 5, for pocket picking, 3 for slave stealing, 2 for manslaughter, and 1 for murder.—*N. O. Bee.*

**Vermont and the United States Bank.**

In the list of States where the stock of the United States Bank was held, six shares were set down to Vermont. These six shares belong to an officer of the revolutionary war who resides at Bennington, and is now ninety-two years old. He was a subscriber to the first National Bank. When that became local and the old United States bank was incorporated, he placed his money in the latter. When that became extinct and the thirty-five million bank was incorporated, he again transferred his money. Now, his money and the policy of a National Bank, have come to an end together.

**Shipment of Ice.**

There are sixteen companies now engaged in the business of shipping ice in Boston. They formerly sold ice in New Orleans at six cents a pound; but now sell it at one cent, and by the consequent increase of consumption and the quantity prevented from melting by despatch of sales, they make four dollars now where they made one formerly.—The ice is sawed into square blocks not less than twelve inches thick, and is packed into vessels with straw and hay, boxed with thin lumber made air tight. One Boston company paid \$7,000 last year for the straw and hay they used for packing.—*Boston paper.*

**Coal and Iron—Valuable Discovery.**

The report mentioned by the Williamsport Banner, that deposits of anthracite coal and iron ore had been discovered in the vicinity of Hancock, in this State, is confirmed. The estate upon which it has been found it is said, belongs to Mr. Caton, who is making extensive arrangements for working the mines. The mines lie within a few hundred yards of the Chesapeake and Ohio canal.

**Attorney General's Opinion on the Revenue Law of Pennsylvania.**

ATTORNEY GENERAL'S OFFICE, }  
Philadelphia, Sept. 4, 1841. }

JOHN GILMORE, Esquire, State Treasurer.

Dear Sir—Having returned home a few days ago, I avail myself of the earliest opportunity that occurs, to answer the inquiries submitted to me, in your letter of the 23d of August, more fully and explicitly than I had time to do in the brief reply which I furnished you, on the same day that yours was put into my hands.

I regretted at the time, that the very few moments allowed me for the preparation of that reply, before starting on a journey of some distance, would render it necessary that I should trouble you with a more complete and detailed answer. You will find that my opinion expressed in both my former and present letters rests upon the same basis.

Your inquiries in reference to the "proper construction" of certain sections of the act of the 4th of May, 1841, entitled "an act to provide revenue to meet the demands on the Treasury, and for other purposes," are as follows: (See Vol. IV. page 297.)

1st. "Section 26. In distributing the amount of Loan not taken among the accepting banks, it is not essential that such distribution be made in accordance with the 7th Section? Or in compliance with such distribution can any one bank take a larger amount than its proportion as designated in the 7th Section?"

2d. "Section 28. In accepting the provisions of the act referred to, is it not essential that this section be complied with by giving the proper notice within forty days after its passage? Or can a bank incorporated since the expiration of forty days now legally accept."

3d. "Is the faith of the Commonwealth pledged for the redemption of any notes, not issued in strict accordance with the several provisions of the act before referred to?"

It is not to be questioned, that the interests depending upon these propositions, are of great magnitude. Appropriations to pay numerous classes of meritorious public creditors—to pay pensions and gratuities—to sustain the Common Schools—Orphan Asylums—House of Refuge, and Asylums for the Blind, Deaf and Dumb—to keep the railroads and canals in repair, and to carry on operations upon them, and indeed for all the purposes of government, must be deeply affected by any solution to these questions, which the proper authorities see fit in their measures to give. That the consideration of this subject is wholly free from embarrassment, I am not at liberty to presume, or else you would not have thought it necessary to submit these inquiries to me.

Before I proceed to give specific answers to each question, I will briefly advert to a few general rules of construction applicable to this case, which have been repeatedly recognized not only by the highest judicial tribunals in this country, and in that from which we derive the fundamental principles of our laws, but by the universal concurrence of the common sense of mankind.

I do not suppose these general rules will be for a moment disputed by any one, nor do I think there is much more ground for denying their application in the present instance; of that, however, I will presently afford you the clearest demonstration. The following rules of construction furnish us with a complete guide in our present inquiry, and as I think, remove all difficulty that might be supposed to exist.

1. That a legislative act is to be interpreted according to the intention of the Legislature apparent upon its face.—*Wilkinson vs. Leland*, 2 Peters' Reports, p. 262.

2. That a law is the best expositor of itself; that every part of an act is to be taken into view, for the purpose of discovering the mind of the Legislature, and that the details of one part may contain regulations restricting the extent of general expressions used in another part of the same act.—*Pennington vs. Cœxe*, 2 Cranch Reports, p. 33.

3. That the consequences are to be considered in expounding laws where the intent is doubtful. *United States vs. Fisher*, 2 Cranch Reports, p. 358.

4. Laws are construed liberally to give a remedy or effect an object declared in the law. *Whitney vs. Emmet*, 1 Baldwin Reports, p. 316.

5. Positive and explicit provisions, comprehending in terms a whole class of cases, are not to be restrained by applying to those cases an implication drawn from subsequent words, unless that implication be very clear, necessary and irresistible. *Faw vs. Maistiller*, 2 Cranch Reporter, p. 23.

Let us now with these rules before us, drawn from the highest judicial authority in this country, proceed to examine with great brevity, into the general nature and object of the Act of Assembly under consideration. The first section provides that the Governor shall be authorized to negotiate a loan, on certain terms, terms therein specified, for the repayment of which the faith of the Commonwealth is pledged to an amount not exceeding \$3,100,000. The second section provides that the several banks of this Commonwealth, except those hereafter excepted, whenever called upon by the Governor, shall be authorized to subscribe to the stock hereby created, and upon paying the amount into the State Treasury, in notes of a certain description set forth, shall be entitled to a credit for the amount, in the books of the Auditor General, in conformity to the first section.

The third, fourth, fifth and sixth sections prescribe the manner in which said notes shall be redeemed, and penalties in case of failure, &c. &c.

The seventh section restricts the banks to certain amounts which they shall be allowed to subscribe in proportion to the extent of their respective capitals. The eighth section provides the manner in which the notes shall be receivable. The ninth and tenth sections relate to taxes: the eleventh, twelfth and thirteenth sections authorize any bank of this Commonwealth, except the Bank of the United States to transfer portions of the funded debt of the State upon the books of the Auditor General, and to issue notes of a denomination not less than five dollars on the credit of the same. The fourteenth and fifteenth sections specially appropriate the amount of the loan to the general purpose already mentioned, and denounce certain penalties on its misapplication. The eighteenth section prescribes how the form of the notes shall be fixed and the intervening sections, including the twenty-fifth confer certain privileges upon the Bank of the United States. The twenty-sixth section imposes penalties on the Banks refusing to take the Loan; and provides that the omission or refusal of any such bank as aforesaid, shall not affect the right or privileges hereby conferred on the banks complying with the same, but the amount of the said loan not taken may be distributed among the other banks of the Commonwealth, according to the proportions designated in the seventh section of this act.

The twenty-seventh section prescribes certain penalties on Banks refusing to deposit State stock. The twenty-eighth section provides that the several banks desirous to avail themselves of the provisions of this act, shall notify the Governor in writing, within forty days after its passage, of their willingness to comply with the same; and the twenty-ninth section points out how the banks shall be notified of the passage of this act.

I have been thus minute in making an abstract of this law, because I deem it material to take all its provisions into consideration, in determining the construction of those sections to which you have invited my attention. Some of these provisions are obscure, and some appear to conflict with others in meaning; but when we take a comprehensive view of all parts of this law together as a whole, the difficulty vanishes, and the sense is clear.

The great leading object of this law, manifestly apparent in every provision, was to "provide revenue to meet the demands on the Treasury." It is a fact known to the world that independent of this law, no mode was devised by the Legislature to supply the pecuniary means for redeeming the plighted faith and honor of the State, and for carrying on the affairs of the government, so far as the appropriations contained in it were essential to this end. If the method adopted by this bill to supply the exhausted treasury wholly failed, the salutary objects to which it made appropriations, of course failed in the adequate means of completion, for

no other resources were furnished. Had this calamity befallen us, it would have been indeed a dark and disgraceful hour for Pennsylvania. The Legislature surely intended to avert it; surely believed the privileges conferred upon the Banks would induce these institutions to seize with avidity the boon it presented.

Hardly a man doubted at the passage of this law, that the Loan would be promptly taken and paid in the manner prescribed by it. Lest some of the banks however, might happen to refuse or omit to accept of the law, it was thought expedient to provide in the twenty-sixth section, that such refusal or omission should not affect the rights or privileges of the complying banks, but that the amount not taken, might be distributed amongst them. From some cause not material to ascertain, few of the banks have seen fit to take their due portion of the loan, and a very large amount of it remains to be taken. There are, I understand, a few of the banks ready and willing to take a considerable share of the part remaining to be taken, and the important question now presented is whether they are authorized to do so by law. This, I understand to be the substance of your first inquiry.

In answering your question, it is proper that I should state my belief, that the Legislature did not anticipate so general a refusal or omission on the part of the banks to take their due proportion of the loan, as has actually occurred; but it certainly did anticipate that some indefinite number might do so, and it provided for the contingency by directing the distribution of the balance among the others. This provision it seems to me, clearly settles the principles on which the Legislature intended to have this loan disposed of. It was to be taken at all events, if not by all the banks, by a part of the banks, and whether that part should be the half, the quarter, or a single bank is not specified. The number was left to be fixed by circumstances. But we are met at the threshold of the inquiry with this supposed difficulty; that the untaken portion of the loan is to be distributed among the other banks: "according to the proportion designated in the seventh section of this act." And it is supposed the seventh section limits the banks to the proportionate amount on their respective capitals therein mentioned, and that under no circumstances can any bank take more.

Let us inquire how far the seventh section of this act can be considered a limitation upon the banks which take the residue of the loan, omitted or refused by the others. It is obvious to the most cursory observer, that the seventh section was introduced to regulate and control the subdivision of the loan, on the supposition that all the banks would be desirous to take their "due proportion" of it. It graduates the proportions so as to allow each bank to obtain a just and reasonable share, and to prevent the monopolizing of the whole loan by a few banks, while there were others willing to come in for their equal part.

This is clear from the language of the seventh section, even independent of the reason of it, by which this construction is fully warranted and indeed rendered incontrovertible. How else will such language as this be interpreted? "No bank shall be allowed to subscribe for a larger amount of the loan authorized by the first section of this act, nor shall any bank of this Commonwealth (whether such bank is liable to the payment of a tax on their dividends, or is exempt from such payment) issue a larger amount of notes, authorized by any portion of this act, than as follows," &c. &c. Had the several banks, as the Legislature expected, taken their "due proportion" of the loan, the limitation in this seventh section, would have been wise and salutary; but when any considerable number of the banks refuse or omit to take their proportions, and the residue is distributed among the others, this limitation becomes not only unreasonable, but it, in truth, defeats the very object of the law. It reduces the sum which each bank may take to so small an amount, that although there may be several willing to accept the whole balance untaken, yet they cannot do it, because it is prohibited by the very law that directs it to be done! We should not attribute to any act of the Legislature, so absurd an operation, unless constrained to it, by the most positive language. Happily such is not the case here. When we consider the seventh section in conjunction with

the twenty-sixth, we perceive at once the intention of the Legislature, and the sound policy of these provisions.

I have shown the object and meaning of the seventh section; now let us turn our attention to the twenty-sixth, which provides for quite another state of things. A large portion of the banks, having refused to take their due proportion of the loan, can the balance be distributed among the others, in case the proportion of each or any of them, exceed that designated in the seventh section? I think it can. I think it is clear that the reference in the twenty-sixth section to the proportions designated in the seventh, is not for the purpose of absolute limitation, but for precisely the same purpose, applied to the banks among which the residue is *distributed*, as it is used for, in the seventh section, among the banks that *subscribe*, to wit, as a rule of fair and equitable division. It is designated to place the banks taking the loan, in both contingencies, on exactly the same relative ground to each other.

This construction reconciles the apparent conflict of these two sections, renders them both reasonable and practicable, gives effect to the law and accomplishes the true intent and meaning of the Legislature in passing it. Any other construction renders one or both of these sections impracticable, inconsistent and nugatory. I cannot therefore, doubt that the portion of the loan not taken, may be distributed among those banks of the Commonwealth, willing to accept in the *proportions relative to each other*, designated in the seventh section, but not limiting these banks to the per centage on their capitals designated in said seventh section, if that per centage be insufficient to consume the entire residue of the loan.

In answer to the second subject of your inquiry, I state as my opinion, that any bank desirous to avail itself of the provisions of the act in question, must show that substantially at least, it has notified the Governor in writing of its willingness to accept and comply with the provisions of the act. Such is the requisition of the law, and if complied with substantially, I do not perceive that any precise form is required, nor that any specific officer is directed to keep the notice. If it be given by authority, which the bank previously or subsequently recognizes and sanctions, I think it is enough. Two very good reasons for this notice were supposed by the Legislature to exist:—first to apprise the public what banks are amenable to the penalties inflicted on non-complying banks—and secondly, to enable the Governor to distribute the balance of the loan not taken by the refusing banks, among the other banks of the Commonwealth. Both of these reasons are rendered fully effective by, the construction proposed to be given.

The latter clause of your inquiry, under this head, whether—"A bank incorporated since the expiration of the forty days, can now legally accept?" must depend altogether on circumstances attending its incorporation. I know of but one bank that can come under this description, the "Lancaster County Bank," and premising it was in reference to that bank you made the question, I proceed to examine the ground on which it stands. It appears upon reference to the certificates of the Clerks of the two Houses, dated the 5th May, 1841, that the "Act to incorporate the Lancaster County Bank" became a law on the 4th day of May, the same day the Revenue Bill under consideration passed. It appointed certain persons commissioners to carry into effect the establishment of a bank. It directed that books should be opened for subscriptions—twenty-five per cent. in specie paid in at the time of subscribing, and real estate unincumbered, lying in the county of Lancaster, be pledged and mortgaged to trustees, to the amount and value of the whole stock subscribed, for the security of the various liabilities of the bank. When the whole stock was subscribed, and the twenty-five per cent. paid in, and mortgages executed according to law, The Commissioners and Trustees appointed by said act, were to certify these facts to the Governor, who was thereupon to direct letters patent to issue to the said corporation. These directions have been pursued, and the letters patent obtained, some time since the expiration of forty days after the passage of the Revenue Bill.

By virtue of the sixth section of the bill incorporating

the Lancaster County Bank, the persons named as Commissioners, are also appointed Directors of the said bank, to serve until the first Saturday of November next. In their proper capacity, I learn they gave the notice required, to the Governor, of the willingness of that bank to accept the provisions of the Revenue Law, within the forty days, and now having completed their organization, desire to come in and claim the privileges of such acceptance. Although a subject of some intricacy and nicety, I do not think it is one of any very great real difficulty.

The act of incorporation, it will be observed, became a law on the same day the Revenue Bill passed. And as there are no fractions of a day, it should be considered a law contemporaneous with the other. It is peculiar in its provisions. It is styled "An Act to incorporate the Lancaster County Bank," and provides on performance of certain conditions, that letters patent shall issue. It appoints the Directors, and provides that mortgages shall be given, and certain other acts done, treating the said bank as to some extent in existence, before the actual issuing of the letters patent. It is my opinion, considering all the circumstances of the case, that the Directors of the bank might within the forty days, and before letters patent in fact issued, give sufficient notice under the Revenue Law of its acceptance, and upon the subsequent recognition of the bank, and compliance with the law, become entitled to take a portion of the loan "whenever called upon by the Governor." It cannot escape observation, that there is no prohibition against the allowance of a bank situated as the Lancaster County Bank is, to take a portion of the loan found in the Revenue Bill. Reason and justice do not seem to forbid it, and I am at a loss to perceive in any mere technical objections, sufficient ground to reject its voluntary offer to aid in carrying the Revenue Bill into effect. Were there even some slight irregularity of form, or of technical propriety, not affecting the real merits of the question, I should think it might be, and ought to be, waived by the Governor when the interests at stake are so important to the public welfare as they are in the present instance.

The third question which you have propounded to me, I answer in the language of the eighth section of the act under consideration:—"All notes which may be issued under the provisions of this act shall be receivable," &c. &c. Undoubtedly the faith of the Commonwealth is pledged, only in case the law making the pledge, be complied with, in its essential parts. Here the sole and entire discretion of negotiating the loan authorized by the law, and of distributing the untaken balance of the same, is vested in the Governor. He is made the exclusive judge, subject to his popular and official responsibility, of the time and manner, when and how, and the institutions with which the loan or loans are to be negotiated. If the money, such as is directed be paid into the State Treasury, in pursuance of his negotiation, the credit on the books of the Auditor General be given, and the State receive the benefit contemplated by the Act of Assembly, every obligation of equity, of law, and of pledged faith, calls upon her to discharge her duty to the holders of the notes, and to observe with scrupulous integrity, the sanctity of the contract solemnly entered into in due form of law, by Legislative authority. Let not the idea be countenanced for an instant, that a State which has bound herself, and pledged her faith, through the medium of competent authority, can be released from her obligations, because some unimportant formality or requisition has been overlooked or even disregarded, when it does not in the slightest degree reach the real merits of her obligation. This would be as revolting to every sentiment of patriotism and of honor, as it would be to every principle of justice. It may be possibly objected against the foregoing construction, that it would authorize some banks to issue an amount of notes beyond the amount of their capital, and that this would produce a most unreasonable and unsound condition of things. It is certainly true that a few banks might, if others refused to take the loan, become entitled to issue notes to a greater amount than their capital; but what of that? The banks are not ultimately responsible for the payment of these notes. The State is bound for their payment and whether

they are all issued by one bank or by fifty banks, is a matter of comparative indifference. The holders are equally safe in both cases. Any constitutional question that may be supposed to be involved in this matter, I forbear to discuss, or to express an opinion upon. We are bound to take the law as we find it upon the statute book. The general rules of construction which I have laid down as the foundation of my opinion I think fully sustain all the views I have expressed. I have not reported them at every point where I deem them applicable, but endeavored to state all the material facts arising for consideration with so much perspicuity as to render the application a matter of ready facility. I fear I have been somewhat tedious, but the complexity and magnitude of the questions presented, will furnish, I trust, a satisfactory apology.

I am, with great respect, yours, &c.

OVID F. JOHNSON.

Attorney General.

[*Pennsylvania Reporter.*]

### National Faith.—British Debts.

#### No. 2.

As I have entered upon the defence of our "National Faith." I will give a brief, but, I think, a satisfactory consideration to an attack upon it in another morning paper.—Your correspondent has, at least, the merit of having enlisted his feelings in behalf of our own citizens, while the other has given his sympathies to British creditors, with quite as little justice or reason, for to justice they are certainly entitled. I presume his sympathies, on this occasion, flow in a *very natural channel*. He has proposed a number of "Queries suggested by Mr. Biddle's Letter." His especial complaint is concerning what he supposes to be injustice done to our foreign creditors, under the treaty with Great Britain of 1794. I promise at once, that the United States have acted towards these creditors, not merely with strict justice and a faithful performance of the stipulations of the treaty, which is all that the national faith was pledged for, but with a most liberal indulgence to them. Let us see what was required of our national faith by that treaty, and what has been done in the fulfilment of it.

By the provisional articles agreed upon between the American and British Commissioners, on the 30th of November, 1782, it was agreed—"that the creditors on either side shall meet with no *lawful impediment* to the recovery of the full value, in sterling money, of all bona fide debts heretofore contracted." In the definitive treaty of September, 1783, this article is repeated. It is here to be observed, that there is no undertaking or guaranty on the part of either government for the recovery of these debts; nor any assumption or promise to pay them, in the event of ordinary difficulties, or a final failure in obtaining them. The stipulation is not more than that there shall be no *lawful impediment* interposed, of course, by a lawful act of authority, between the creditor and his debtor. As to all other impediments, difficulties and delays—"the law's delay"—which are incident to the recovery of debts of long standing, scattered over a great extent of country—from numerous debtors, many of whom were dead, and their estates passed into other hands; as to all those impediments and delays, which are as well known in the Courts of England, as in any other country in the world; in short, as to every impediment but such as might be imposed by the lawful authority of the State, especially affecting these debts the British creditor here, and the American creditor in England, was left to encounter and overcome them as he could, and as every othersuitor would have to do. At this period, it is well known, that from the weakness of our confederation, the Federal Government, if it can be said we had one, had very little influence, and less coercive authority over the acts of the several States. We had no judicial power to compel them to do what they were not inclined to.

After the adoption of the new Constitution, the treaty of 1794 was made between the United States and Great Britain. It is to this treaty the Querist particularly refers in his stric-



tures upon our good faith. In the sixth article of this treaty, it is recited that divers British merchants alleged that debts to a *considerable amount* remain owing to them; and "that by the operation of various lawful impediments since the peace, not only the full recovery of the said debts has been delayed, but also the value and security thereof have been, *in several instances*, impaired and lessened, so that by the ordinary course of judicial proceedings, the British creditor cannot now obtain full and adequate compensation." From the language of this article we may infer, and it was undoubtedly true, that some of the debts had been either recovered by the course of law, or paid voluntarily, although a considerable amount remained owing; and that recoveries had been had in the ordinary course of judicial proceedings, although in several instances they had failed. We must also keep in mind, that this was the representation and complaint of the British creditors, making their strongest case; that they have not specified the instances they alluded to, nor explained what were the lawful impediments which had prevented or delayed the *full recovery* of their debts, nor given any estimate of the considerable amount that remained owing. We have, therefore, nothing but their allegations and opinions of the nature and cause of the impediments complained of; nor do we know that they, or some of them, were not such as occur in the "ordinary course of judicial proceedings." On these loose grounds, however, the United States, desirous of affording all reasonable satisfaction, agreed—that "in all such cases where the full compensation for all such losses and damages cannot be actually obtained, had and received by the said creditors in the ordinary course of justice, *the United States shall make full and complete compensation for the same to the same creditors.*"

This was an assumption of the debts gratuitously and liberally made by our Government, manifestly for the benefit of the British creditor. The treaty of 1783 required no such assumption or responsibility. But this treaty imposed difficulties upon the creditor, in themselves entirely just, in making out his case under the treaty, which were of an embarrassing character. He was bound, in every particular instance, to show that he could not obtain his debt in the ordinary course of justice. Nor was this all. The clause in the treaty goes on to declare that "it is distinctly understood that the provision is to extend to such losses only as have been occasioned by the lawful impediments aforesaid, and it is not to extend to losses occasioned by such insolvency of the debtors, or other cases as *would equally have operated*, if the said impediments had not existed; nor to such losses or damages as have been occasioned by the manifest delay, or negligence, or wilful omission of the claimant."—Now let it not be forgotten, that the "Querist" does not complain of these provisions in this treaty, nor impeach their justice and reasonableness; indeed, he could not do so; for when the United States took upon themselves debts they were in nowise bound to pay, it was right they should guard themselves against imposition and fraud. The "Querist" complains not of the treaty of 1794, but of the manner in which the United States have performed or fulfilled its engagements under it. The most imperfect examination will show, even to the most prejudiced mind, that the subsequent compromise of the claims of the creditors made between the United States and Great Britain, was a further act of liberal generosity, altogether for the benefit of the creditor.

Some years elapsed after this provision for the British creditors was made, when, we may presume, they found it always difficult, and often impossible, to bring themselves within the required action of the treaty, so as to entitle themselves to its benefits. The Government of the United States, in a spirit of justice and generosity rarely found in similar transactions, in order to remove these difficulties, and give immediate redress to these creditors, entered into a new arrangement for their final settlement. The United States agreed to pay, and Great Britain agreed to receive, the sum of six hundred thousand pounds sterling, nearly three millions of dollars, for the liquidation and discharge of these debts, which sum was fully and faithfully paid by the United States, according to the terms of the treaty. Now what complaint can be made of our national faith in this transac-

tion? Why, says this querulous Querist, there was a large difference between the sum paid and the full amount of the debts due by our citizens. Was there so? Has this writer ever inquired into the fact? Does he know, or has he sought to know, anything about it? If he has, then let him furnish us with the result of his examination in a more specific shape than merely to tell us the difference is large. In what documents has he found the proof of this assertion? Judging from the allegation of the British creditor, as stated in the treaty of 1794, I should judge that the sum was ample to meet all that *remained owing* to them. Again, this treaty by no means undertook for the payment of *every debt*.—Certain exceptions and conditions were declared, which were unquestionably just; and the question, therefore, is, whether the sum paid was not sufficient to cover all the debts provided for by that treaty, the charge against us being for the non-fulfilment of that treaty. This accuser must show that the recovery of the debts which remained unpaid had been prevented by *lawful impediments*, and that they did not fall within any of the exceptions mentioned in the article. I am quite safe in saying that he is not prepared to do this, and he must therefore be considered to have made one of those rash and random assertions which some men venture upon, who, *having a certain feeling to gratify*, do not look to their proof before they condemn.

But if it were true that the amount paid did fall short of the debts to be paid, how can that impeach our good faith, or affect the rights of the British creditor? His Government made itself his debtor: he may prosecute and prove his claim at his own door, where, it is presumed, he will meet with no unjust impediment or delay in obtaining all that is justly due to him—certainly with none that we are answerable for. But this considerate querist extends his tender regard for the British creditor to the British Government, and is quite unhappy, lest that may have lost something by this compromise. That Government was the best judge of this, and her ministers had, at least, as good information of the amount they might be called upon to pay, as their friend and advocate, the Querist. Compromises of this sort are of constant recurrence between nations, having friendly dispositions towards each other, for the settlement of claims very difficult, perhaps impossible, to be adjusted by the examination of every separate case. In this manner our claims upon Naples were settled; so our claims upon Great Britain for the slaves taken away in the last war. So, the claims of our citizens upon France were liquidated by the convention already mentioned, at twenty millions of francs. Other instances are of common notoriety to those who examine such subjects before they write about them.

On the question of *lawful impediments* to prevent the recovery of British debts, it is sufficient to say that the subject came before the Supreme Court of the United States, and was there solemnly and finally decided. The judgment of the Court was, that debts due in the United States to British subjects before the war of the revolution, *though sequestered or paid into the State Treasury*, were revived by the treaty of 1783, and the creditors were entitled to recover them from the original debtors; and further, it was decided by the same Court, that the statute of limitations should be suspended during the war as to alien enemies. These decisions were made in 1794, prior to the treaty of that year, and were then, and are now, the supreme law of the land. I do not know what *lawful impediments* could afterwards be opposed to the recovery of British debts, other than such as every suitor in every Court has to meet. If the Querist knows of any, he will be able to explain what they were, and where they existed.

By the treaty of 1794, commissioners were mutually appointed to adjudicate upon these claims, to ascertain the amount of the loss and damages to be paid to the British creditors. Before this tribunal they had nothing to fear from unlawful or unjust impediments; from any vexatious delays; from the acts of State Legislatures, or the partiality of Courts and juries. A Court was raised for them in which they had Judges of their own country, and the commissioners on both sides were intelligent, disinterested and honorable men, certainly disposed to do justice to the parties as



fully and speedily as possible, and not hampered by technical forms. But here the creditor met with the *intrinsic and unavoidable difficulties* which were inseparable from the nature of his case; the proof of his claim in the manner directed by the treaty, and which could, in no sense, be considered as impediments thrown in his way to embarrass or defeat his right, or as bringing any reproach upon the Courts of our country when they may have occurred. In the Convention of 1802, it is recited that difficulties had arisen in execution of the treaty of 1794, in consequence of which, the proceedings of the commissioners had been suspended. And this is an answer to the question: "Did not the difficulty which British subjects found in collecting the debts due to them, proceed from the fact of the States having confiscated them, or prohibited their recovery?" Certainly not; for after the decision of the Supreme Court, no such difficulty could be raised successfully even in our Courts, and much less before the commissioners. As to the suggestion that "the trouble of adjusting the details" proceeded from an unwillingness or inability on our part to pay the whole amount of the debt, it is entirely gratuitous, not only without proof, but in contradiction to the whole course of the conduct of our government. It is very easy to propound these pregnant questions, but it would have been more satisfactory and just if the Querist had made his allegations in a more direct form, and supported them by his evidence.—To relieve the creditors from difficulties which, in many cases, would have been insurmountable, the United States did show their willingness and ability to pay "an enormous sum of money;" we may safely say a much greater amount than could have been recovered for them, under the terms of the treaty of 1794, of which no complaint is or can reasonably be made.

I have thus given, with some detail, and I believe with truth and accuracy, a view of the proceedings of the Government of the United States, in relation to their domestic and foreign debts. If I am mistaken in my facts, it may be easily exposed; if I am not, then I may challenge ingenuity or prejudice to show any want of good faith, any disregard or violation of any pecuniary engagement, or any negligence in providing for them.

J. H.

#### Organic Remains.

This compound term is properly applied to designate those fragments, more or less perfect, of animals or vegetables found imbedded in the crust, or outer shell of the earth. When any new discovery of any of these fragments is made, and made public, the publishers leave a material part of their work undone when localities are neglected. There are some elements of such obvious necessity to the distinct understanding of the subject, that some surprise may be justly expressed when they do not form a part of any account of newly discovered organic remains: such, for instance, as the latitude of the location; whether found in rock, clay, sand, &c.; how deeply imbedded; and especially elevation as near as possible, of location above, and the distance from the nearest sea-coast and rivers.

The subjoined and otherwise well-authenticated statement is deficient in most of the preceding requisites. We cannot fully supply the deficiency, but we can give some data to enable the reader to more clearly comprehend the similarity between the place where found and other places where analogous remains have been disinterred.

Clarke county, Alabama, comprises the lower part of the peninsula between the Tombigbee and Alabama rivers. Clarksville, the county seat, as laid down by Tanner, stands at north latitude 31 deg. 42 min. The county extends from 31 deg. 8 min. to 31 deg. 58 min. north. The junction of the two bounding rivers, or southern angle of the county, is about 60 miles from the Gulf of Mexico, and 30 miles above the head of Mobile Bay. Low as are the tides of the Gulf, they flow up both rivers, and reach Fort St. Stephen's in the Tombigbee, and Fort Claiborne in Alabama. From these elements it is evident that much of Clarke county rises but little above the ocean level, as that level now exists. It is, however, only necessary to examine the entire coast of

the United States from New York harbor, if no further north-eastward, round to the Sabine, to find everywhere evidence of an elevation at some former period far above the present. The immense shell banks are one, and scarce need any other element to support the preceding conclusion.

At some very remote period in the history of our planet, Saurian, or lizard-like reptilia, appear to have been the most abundant of its animals. Of these genera the most remarkable yet remaining as living beings are the various genera of crocodiles and alligators. Some of the ancient species appear from their remains to have very far exceeded in size any of their living congeners. Of the extinct the most remarkable were the Ichthyosaurus, Megalosaurus, and, nearly allied, the Iguanodon. The gigantic Dinotherium was a warm blooded quadruped, and, though similar to the yet existing *Moses*, was also an aquatic creature; differing however, in all other respects from Saurians.

From the location of their extinct remains, and that of their living congeners, the Saurian tribes appear to have existed and continue to exist in shallows, with muddy alluvial bottoms, along sea-coasts, or along rivers and marshes at no great distance from sea-coasts. Though tropical countries are more congenial, the peculiar physiology of these reptilia enables them to exist on the earth considerably beyond tropical limits, as is the case with the alligator in the United States.

The writer of these observations had a long series of seasons to observe the habits of the alligator. When the air and water rise to between forty and fifty degrees above Fahrenheit's scale—and the higher increase the effects—the alligator in the water is excessively active when in pursuit of prey. On the contrary, when the temperature falls below forty degrees of Fahrenheit, and before coming down to thirty-two degrees, or freezing of water, the alligator sinks and lies torpid in its oozy bed until its requisite warmth restores it to active life. Hence a traveller may now visit the alligator region at one season, and see those disgusting reptiles in abundance; and another may visit the same region at another season without being able to see a single trace to show that ever such an animal was its inhabitant.

These laws of organic life were, we may safely conclude, at all times common to the Saurian tribes, and accounts why their remains are found in places and climates where apparently their congeners could not now exist. To speak particularly of the delta of the Mississippi and adjacent places, I have long observed that, of the thousands of alligators which hibernate in the mud at the bottoms of the ponds, lagoons, and water-courses, many annually remain buried, and nearly all are thus ultimately inhumed. If, therefore, we suppose a further depression of the Gulf of Mexico to take place, and, as has evidently been the case in Clarke county, surfaces laid permanently bare which are now covered with water, thousands and tens of thousands of remains of alligators would be discovered.

The animal remains found in Clarke county have been those of a species or genus far more gigantic than the living Saurians of the adjacent regions; but there is every rational reason to regard their location and preservation to have arisen from the common laws of their congeners.

WILLIAM DARBY.

[*National Intelligencer.*

#### Resignation of the Cabinet—Mr. Badger's Letter.

Messrs. Gales & Seaton:—I deem it proper to offer a public explanation of some of the reasons which led to my resignation, on the 11th instant, of the office of Secretary of the Navy, and, for that purpose, ask a small space in the *National Intelligencer*.

At the Cabinet meeting held on the 13th of August last, (the Attorney General and the Postmaster General being absent,) the subject of an Exchange Bank, or institution, was brought forward by the President himself, and was fully considered. Into the particulars of what passed I do not propose now to enter. It will be sufficient to say that it was then distinctly stated and understood that such an institution met the approbation of the President, and was deemed by

him free of constitutional objections; that he desired (if Congress should deem it necessary to act upon the subject during the session) that such an institution should be adopted by that body, and that the members of his Cabinet should aid in bringing about that result; and Messrs. Webster and Ewing were specially requested by the President to have a communication upon the subject with certain members of Congress. The institution then spoken of was to be located in the District of Columbia; to be authorized to establish agencies in the States and Territories with power to deal in bills of exchange between the United States and foreign countries, and in bills of exchange drawn in one State or Territory and payable in another State or Territory; and the exercise of this power was not to depend on any assent, expressed or implied, of the States within which such agencies might be established.

In consequence of what passed at this meeting, I saw such friends in Congress as I deemed it proper to approach, and urged upon them the passage of a bill to establish such an institution, assuring them that I did not doubt it would receive the approbation of the President.

The bill was passed, as the public know, and was met by the Veto. Now, if the President, after the meeting of the 18th August had changed his mind as to the constitutional powers of Congress, and had come to doubt or deny what he had admitted in that meeting, (which is the most favorable interpretation that can be put upon his conduct,) it was, in my opinion, a plain duty on his part to have made known to the gentlemen concerned this change of sentiment—to have offered them an apology for the unpleasant situation in which they were placed by his agency—or, at least, to have softened, by a full explanation of his motion, his intended Veto of a measure in promoting the success of which they, at his request, had rendered their assistance. But this the President did not do. Never, from the moment of my leaving his house on the 18th, did he open his lips to me on the subject. It was only from the newspapers, from rumor, from hearsay, I learned that he had denied the constitutionality of the proposed institution, and had made the most solemn asseverations that he would never approve a measure which I knew was suggested by himself, and which had been at his own instance introduced into Congress. It was still in the President's power, by a proper statement in the message containing his objections to the bill, to have supplied these omissions, and in some degree at least to have repaired his former neglect: but when that paper came to be read, it was found that so far from saying frankly that he once favored and had been willing to sanction the bill, but had been led (if such was the fact) by subsequent reflection to adopt different views upon the subject, he treated the measure as one evidently inconsistent with his previously expressed opinions, and which it ought not to have been supposed for a moment he could approve.

Whether this conduct of the President is susceptible of just defence or reasonable excuse it is not necessary now to inquire. I have not heard, nor can I imagine any ground for either. Whether an explanation of it has been offered to any one of the gentlemen concerned I know not, but none was at any time offered to me: and while I forbear to make the remarks, obvious and painful as they are, which the transaction suggests, I declare the conviction that this conduct of the President, stating without known defence, excuse, or explanation, constituted (if no other reasons had existed) ample ground for a withdrawal from his Cabinet without delay.

It is scarcely necessary to say that I have not supposed, and do not now suppose, that a difference merely between the President and his Cabinet, either as to the constitutionality or the expediency of a bank, necessarily interposes any obstacles to a full and cordial co-operation between them in the general conduct of his Administration; and therefore, deeply as I regretted the Veto of the first bill, I did not feel myself at liberty to retire on that account from my situation. But the facts attending the initiation and disapproval of the last bill made a case totally different from that—one it is believed without a parallel in the history of our Cabinets; presenting, to say nothing more, a measure embraced and then

repudiated—efforts prompted and then disowned—services rendered and then treated with scorn or neglect. Such a case required, in my judgment, upon considerations, private and public, that the official relations subsisting between the President and myself should be immediately dissolved.

GEO. E. BADGER.

Washington, Sept. 18, 1840.

#### Bishop of New Jersey—Consecration at Leeds.

The Leeds (England) Intelligencer of the 4th inst. gives full particulars of the imposing ceremony of the Consecration of the newly erected Parish Church, (Dr. Hook's) on the 2d inst.—for which occasion the right Rev. Bishop Doane of this State, was invited to England. There was an unusual convocation of the dignitaries and clergy of the Church, including his Grace the venerable Archbishop of York, the Lord Bishop of Ripon, &c., and an immense concourse of people, more than 4,000 being present.

The Consecration Sermon was preached, at the request of the Bishop of the Diocese, by the Bishop of New Jersey, from St. Paul's Epistle to the Ephesians, 1st chapter, 22d and 23d verses. "Head over all things to the Church which is his body; the fulness of him that filleth all in all."

After the very imposing ceremonies in the church, there was a social entertainment at Music Hall. We take the following extracts, interesting to our readers from the report of the sentiments and addresses at the table:

[*Newark Daily Advertiser.*]

Dr. Hook:—Ladies and Gentlemen, during the time that the American Colonies which now form the United States, were united with this country, this country most grievously neglected its religious duties. The church was there neglected; but the Church still exists; and no sooner was the independence of the United States declared, than the Presbyters were sent over from America to be consecrated as Bishops in England and in Scotland. Since that time that Church, as most persons in this room know, has gone on thriving beyond our most sanguine expectations. (Hear.) But there was a natural jealousy between the two countries when first the independence of the United States was declared, and the Legislature of this land would only permit the Archbishop of Canterbury to exercise his Episcopal functions in favor of those persons who had been sent over from the United States on condition that they should not thereby acquire a right, or be permitted, to officiate in our pulpits. That restriction, through the influence of the Archbishop of Canterbury and the Archbishop of York, was during the last Session of Parliament happily removed. (Cheers.) There was a most eminent and distinguished Divine in America with whom I had long corresponded, with whose virtues I was well acquainted, and I immediately wrote to that Right Rev. Prelate, and suggested that, the restriction having been withdrawn, it would be well if he would condescend to come over and preach the Consecration Sermon at our Church. (Cheers.) When that letter arrived, the Right Rev. Prelate seemed to think much of the three thousand miles; he wrote to say that it was quite impossible to come; but before the night had passed over his head he had discovered that things impossible did sometimes come to pass, and the same post that brought me his refusal, brought me another letter to say that he would come. (Loud applause.) And come he has; and has been received by the Bishops and Clergy, and the Laity of the Church of England, in a manner for which his heart will ever be grateful. He has heard it stated by the Archbishop of Canterbury that he thinks the connexion between the two Churches will be the surest means of promoting peace between the two countries. (Hear and cheers.) You have heard how he has been received by our beloved Metropolitan, and you yourselves, I know, will gladly thank him for the kind service he has rendered us; and you, I am sure, will delight to second, what his Grace has commissioned me to propose, that the Right Rev. Prelate, the Bishop of New Jersey, be requested to publish that Sermon. (Loud cheers.) On Saturday next he sails for his native land.

We wish him a good voyage, and say to him and his Church God speed. (Cheers.) I propose that we drink—

“The health of the Bishop of New Jersey.”

(Drank with loud applause.)

The Bishop of New Jersey—Ladies and Gentlemen: this is not my first introduction to the Churchmen of Leeds. I had known them long by report: and it was my pleasure not long after my arrival here to be introduced on an occasion of great interest by my beloved friend, your admirable Vicar. It was then that I first knew how English churchmen could appreciate, and express their appreciation of, the loftiest talents, the noblest virtues, the most unreserved services, given up to the glory of God, for the good of man, and the edification of the Church. And never shall I forget the exultation with which I entered into the reception that you then gave to my worthy friend your Vicar. Happy was I to be received by such hearts, with that enthusiasm which was then expressed. Since that time I have been permitted by the good Providence of God to accomplish such purposes as my very limited time in England would allow, in visiting the more important and interesting portions of the country; considered chiefly in what most interests me, its ecclesiastical character. And as it was through the kind and affectionate interest of your Vicar that my voyage was undertaken, so it has been ordered in the Providence of God, that my farewell to England should be taken here, in his presence, and among you. (Cheers.) Permit me to say, that while, as it has just been stated, I have been received as a Bishop of the western Church with the highest consideration and the warmest affection—while I have received at the hands of his Grace the Archbishop of Canterbury, the Bishop of London, and let me especially say, of your own admirable Bishop, the most affectionate attention—it has been reserved for me this day, and on this occasion, to receive most courteous attention at the hands of him, your venerable and venerated Metropolitan, by whose side it is my pleasure and my privilege to sit. (Cheers.) My excellent friend, your Vicar, has truly stated to you that my first decision was that I could not accept his invitation; not so much from any consideration of the distance as from what then seemed to be urgent domestic reasons. It was one of the occasions on which I have been led to believe, and to know that second thoughts are best; and you will give me credit when I say that the interval between the first and the second thought was exceedingly short. (Cheers.) My purpose in coming to England was, first to assist at the consecration of your noble church, so happily consummated to day, through the good Providence of God; and then to open rather than renew, under the permission given by the act to which my friend has alluded, that Catholic intercourse between the Churches (Hear) which I cannot justly say had been suspended, because it had never in reality existed. My purpose in coming to England is effected. I have received from the hands, and I know, from the hearts, of the two Archbishops, the expressions of their kind regards for myself, and more important still, the expression of their deep paternal interest in the youthful Church of which I am a Bishop. Permit me to say, that I use the term “paternal” because I wish to respond for myself and the Church of which I am a Bishop, to the term the Lord Archbishop was pleased to express, when he spoke of the “filial” feeling towards the English Church which had actuated me in undertaking my journey to this country. (Hear.) I am glad that he should have entered into my feelings, and have used in the course of his own observations, such a term as that towards the Church to which I have the honor and the privilege to belong; and allow me to state that in speaking thus I speak for the Church of which I am a Bishop, which, in its preface to the Book of Common Prayer, next to Almighty God, expresses its gratitude for nursing care and protection to the Church of England. (Hear.) Happy shall I be to carry home to the daughter Church, the report which everywhere, from one end of the kingdom to the other, it has been my highest pleasure to gather, with increasing confirmation at every step, that in the mother Church, and through its influence, the highest, noblest, and most extended interests of Christian

men are supported, encouraged, and about to be carried into effect, and with a zeal and a fervor, an impulse and a perseverance unknown in modern times. Language would fail me should I attempt to express my gratification on witnessing the great interests of Catholic truth engaging the hearts, and enlisting in its support the best, and truest, and noblest sons of this the noblest country in the world. (Cheers.) May it be manifested here in the multiplication of your Churches, and the strengthening of every benevolent interest which has relation to Christianity, the elevation of the religious character of your universities and public institutions, the devising of new modes of extending the benefits of the Gospel to all who live under the shadow of your throne, through that noble enterprise which takes the whole world within the span of its benevolence, and contemplates the sending out to your Colonial dependencies, persons invested with that power and authority by which alone a Church can be properly directed, and through which alone the full measure of Christian privileges and Christian blessings can be conveyed to any people. (Cheers.) The plan of your Colonial Bishoprics I shall carry home, and cherish it in my heart of hearts. I am going very soon to meet our great Triennial Convention, in which and by which all the interests of the Church are controlled and directed; and I feel the highest thankfulness to God that I can set before them an example so inciting, which is so certain to meet with a full recompense in every heart, and to animate us to that only provocation of which Christian men should suffer themselves to be capable—the provocation to good works. (Cheers.) One word more and only one. The zealous enthusiasm with which the sentiment of the venerable Archbishop of Canterbury, with regard to peace between the two countries, as stated by my excellent friend the Vicar, was received by this meeting, has not been lost upon my heart, and it shall not be lost upon those among whom it is my lot and my privilege to live. (Hear.) Permit me to say that true Americans have English hearts. (Cheers.) Whatever may appear to the contrary, originating either in the zeal of the political arena, or in the scurrilities of newspapers, I assure you that the truest interests of England are dear to the hearts of all true men and women in America. (Hear.) With the same breath, and the same pulsation of heart, they rejoice in the prosperity of England and in their own; and you owe it to us, and we owe it to you, for it is obligatory upon us both, to do what in us lies to promote our common Christianity. (Hear.) The fact is, that we are all as one in that bond which came down from Heaven, which is designated to compass the earth, which cannot be affected by the changes of time, which cannot be influenced by the interests of earth, the bond of Catholic truth maintained in Catholic love. (Cheers.) I thank you from my heart, dear brethren, for all the kindness you have shown me; and I ask your prayers for me and for my Church, assuring you that mine will ever rise for you and yours. (The Right Rev. Bishop resumed his seat amidst loud applause.)

The Archbishop then retired, with Miss Georgiana Harcourt, and it was half past six o'clock, and the Evening Service at the Church commenced at seven, the company immediately broke up.

#### Railroad Iron.

The ship *European*, which arrived here on Thursday from Wales, brought a cargo of eight hundred tons of railroad iron, for the Baltimore and Ohio Railroad Company. This iron will be laid down forthwith on the line of the road from Harper's Ferry westward, the superstructure being already completed for its reception. Other cargoes, we learn, are on their way hither.—*Baltimore American*.

#### Large Stone.

One of the corner blocks for the new Exchange, arrived in Boston on Monday. It was drawn in by sixty yoke of oxen and six horses, weighs about fifty-seven tons, measurement, and is forty feet long, and six wide, and four or five in thickness.

Sketch of the Commerce and Navigation of the United States in 1840.

We have at length received a copy of the annual report which has just been printed. In anticipation of the regular tables which we generally publish, we have made the following hasty sketch of the commerce of 1840.

Imports 1840.

The imports in 1840 (year ending 30th Sept.,) amounted to \$107,141,519, exceeded by the exports \$24,944,427. (This amount varies from the tables accompanying the report of the Secretary, Vol. III page 409, it being then only an estimate.)

In 1838 the imports were.....	\$113,717,404
1839 .....	162,092,132
1840 .....	107,141,519

Which shows the imports in 1840 to have been less than in 1838 by \$6,575,885, and than in 1839, \$54,950,613.

Of the imports, \$92,802,352 were in American, and \$14,339,167 in foreign vessels.

Of the whole amount of imports \$57,196,204, or 53 per cent was free of duty.

The amount of imports from			
England .....	\$33,114,133	Mexico .....	\$4,175,001
France .....	17,572,876	Hanse Towns...	2,521,493
Cuba .....	9,835,477	Brit. Am. Col...	2,007,767
China .....	6,640,829	Russia .....	2,572,427
Brazil.....	4,927,296	Brit. E. Indies ..	1,952,461

From Sweden and Norway, Holland, British W. I., Hayti, Spain, Spanish W. I., except Cuba, Italy, Venezuela, Chili, the imports exceed one million each.

Some of the principal articles of import were—	
Teas (from China) lbs.	19,981,476 .....\$5,417,589
Coffee, lbs.	94,996,095 ..... 8,546,222
Silks not India .....	8,288,958
Cloths and cassimeres.....	4,696,529
Cottons dyed, printed or colored.....	3,893,694
Brown sugar, 107,955,033 lbs.....	4,742,492
Bar iron .....	3,397,480
Salt.....	1,015,426
Molasses .....	2,910,791

Exports.

The amount of exports in 1840 amt'd to	\$132,085,946
1839.....	121,028,416
1838.....	108,486,616

Being an excess in 1840 over 1838 of \$23,599,330, and over 1839 of \$11,057,530. Domestic exports in 1840 amounted to \$113,895,634, and foreign exports to \$18,190,312. In 1840 the domestic exports exceeded those of 1839, \$10,361,743. The exports exceed the imports \$24,944,427.

Some of the principal domestic exports in 1840—	
Cotton.....	\$63,870,307
Flour.....	10,143,615
Tobacco.....	9,883,957
Cotton goods.....	3,549,607
Refined sugar.....	1,214,658

Of the exports there went to			
England.....	\$57,048,660	Holland.....	\$3,856,310
France.....	21,841,554	Brit. W. Indies.	2,965,584
Cuba .....	6,310,515	Mexico .....	2,515,341
Brit. Am. Col..	6,093,250	Brazil.....	2,506,574
Hanse Towns..	4,198,459	Scotland .....	2,050,940

Russia, Danish W. Indies, Hayti, Italy, Trieste, Texas, Chili and China each took of the exports over one million.

Specie.

Imports.—gold bullion.....	\$273,127	
silver do .....	469,434	
		742,561
Specie—gold.....	2,812,030	
“ silver.....	5,328,222	
		8,140,252
		8,882,813

Exports.—American gold & silver coin		2,235,073
Foreign gold	1,468,300	
silver	4,665,952	
		6,134,252
		8,369,325

Total excess of imports..... \$513,488  
Showing that there has been an excess of imports of \$2,-748,561 of Foreign gold and silver, and an export of \$2,-235,073 of American in its place.

Commerce of some of the Atlantic States.

NEW YORK—Imports \$60,440,750. Exports \$34,264,-080, viz. domestic produce \$22,676,609. Foreign, \$11,587,-471—Tonnage entered, vessels, 4,551; tons, 1,006,990; crews, 54,583 men and boys. American vessels, 2,483; foreign, 1,708. Cleared, 2,411 American; 1,678 foreign; Total, 4,089.

MASSACHUSETTS—Imports \$16,513,858. Exports, \$10,-186,261, viz. American \$6,268,158. Foreign, \$3,918,103 Tonnage entered, 1,904 vessels; tons, 321,450; crews, 16,-566; American vessels, 1,201; foreign, 703. Cleared, 1,704, viz. 940 American and 764 foreign.

PENNSYLVANIA—Imports \$8,464,882. Exports, \$6,820,-145, viz. American produce \$5,736,456; foreign, \$1,083,-689—Tonnage entered, 444 vessels; tons, 87,702; crews, 4,253; American, 353; foreign, 91. Cleared, 376 American; 83 foreign.

MARYLAND—Imports \$4,910,746. Exports \$5,768,768, viz. American produce \$5,495,020. Foreign, \$273,748.—Vessels entered 410; tons, 82,140; crews, 3,727; American, 309; foreign, 101. Cleared, 352 American and 109 foreign; Total, 461.

VIRGINIA—Imports \$545,085. Exports. \$1,769,937 domestic produce; \$8,283 foreign. Total, \$4,778,220; vessels entered, 156 American; 34 foreign; Total, 170. Cleared, 223 American; 37 foreign; Total, 260.

SOUTH CAROLINA—Imports \$2,058,870. Exports, \$9,-981,016 of domestic, and \$55,753 foreign, Total, 10,036,-769; vessels entered, 257; tons, 60,645; crews, 2,777.—Cleared, 406, viz. American, 322; foreign, 84.

GEORGIA—Imports \$491,428. Exports, \$6,862,959— all American produce; entered 175 vessels. Cleared, 231.

ALABAMA—Imports \$574,651. Exports, \$12,854,694— all domestic; vessels entered, 146 American; 61 foreign; Total, 207. Cleared, 251 American and 57 foreign; Total, 308.

LOUISIANA—Imports \$10,673,190. Exports, \$32,998,-059 of domestic and \$1,238,877 foreign; Total, \$34,236,936 —vessels entered, 672 American; 252 foreign; Total, 924. Cleared, 890 American and 265 foreign; Total, 1,155.



Of the whole amount of domestic exports, the Southern States exported, viz :

Maryland .....	5,495,020
Virginia.....	4,769,937
North Carolina.....	387,484
South Carolina.....	9,981,016
Georgia.....	6,862,959
Alabama.....	12,854,694
Louisiana.....	32,998,059
Florida.....	1,850,709
	<hr/>
	75,199,878

The Middle States exported as follows:—

New York.....	22,676,609
New Jersey.....	14,863
Pennsylvania.....	5,736,456
Delaware.....	37,001
	<hr/>
	28,464,929

New England States—

Maine.....	1,009,910
New Hampshire.....	20,761
Vermont.....	305,150
Massachusetts.....	6,268,158
Rhode Island.....	203,006
Connecticut.....	518,210
	<hr/>
	8,325,195

Western States—

Ohio.....	991,954
Michigan.....	162,229
	<hr/>
	1,154,183
District of Columbia.....	751,429
	<hr/>

Total exports.....\$113,895,634

From this statement, it would appear that the Southern States export nearly three-fourths of the domestic products of the United States—of which Louisiana exports nearly one-half. But as the Mississippi is the natural outlet of the South-Western and Western States, which do not appear in the tables to have any exports—they ought to be considered in connexion with that State.—Again, they are entitled to a credit for a considerable portion of the exports from the Middle and Eastern States—such as the cotton, tobacco, rice, &c.

The following is a similar classification of the States with respect to Imports.

Maryland .....	4,910,746
Virginia.....	545,085
North Carolina.....	252,532
South Carolina.....	2,058,870
Georgia.....	491,428
Alabama.....	574,651
Louisiana.....	10,673,190
Florida.....	190,728
	<hr/>
	19,697,230

Middle States—

New York.....	60,440,750
New Jersey.....	19,209
Pennsylvania.....	8,464,882
Delaware.....	802
	<hr/>
	68,925,643

New England or Eastern States—

Maine.....	628,762
New Hampshire.....	114,647

Vermont.....	404,617
Massachusetts.....	16,513,858
Rhode Island.....	274,534
Connecticut.....	277,072
	<hr/>
	18,213,490

South Western and Western—

Ohio.....	4,915
Kentucky.....	2,241
Tennessee.....	28,938
Michigan.....	138,610
Missouri.....	10,600
	<hr/>
	185,304
District of Columbia.....	119,852
	<hr/>

Total Imports..... \$107,141,519

Showing that about 4-5ths of the whole amount of Imports arrive in the Middle and Eastern States.

Navigation and Tonnage.

There arrived in 1840, 7211 American, 4571 Foreign vessels, total 11,782 vessels, of 2,289,309 tons. Crews, 110,991 men, 3,739 boys. Cleared during the same, 7,583 American, 4,583 Foreign, total 12,166; tons 2,353,495.—Crews, 116,331 men, 3,415 boys.

Of the Foreign vessels which entered, 4,024 were British, 113 French, 134 Hanseatic, 101 Spanish.

Of the vessels entered there arrived at

New York.....	1,955
Boston.....	1,507
Passamaquody.....	1,161
New Orleans.....	924
Philadelphia.....	444
Baltimore.....	410

The registered tonnage of the United States is 899,764—76 enrolled and licensed ... 1,176,694—46 fishing vessels..... 104,304—84

Tons.....2,180,764—16—95

The tonnage employed in the whale fishery	136,926—64—95
coasting trade	1,144,664—34
cod fishery	67,926—48
mackerel fishery	28,269—19
steam navigation	198,184—30

There were built in the United States in 1840.—97 ships, 109 brigs, 378 schooners, 224 sloops, 63 Steamboats; total 871. Tonnage 118,309 23-95.

Of these	181	were built in Maine,
	113	“ “ Massachusetts,
	109	“ “ New Jersey,
	103	“ “ Pennsylvania,
	111	“ “ Maryland,
	72	“ “ New York,

There were sold to Foreigners 11 ships, “ “ “ 29 brigs, “ “ “ 46 schooners, “ “ “ 1 sloop.

Lost at sea 33 ships, Lost at sea 87 schooners, “ 41 brigs, “ 20 sloops, 16 steamboats.

88 vessels were condemned as unseaworthy. We shall hereafter publish the usual tables on commerce and navigation at length.



Value of Lands in Virginia.

Extract from a Speech of Mr. Benton on the Land Bill :  
Every State in the Union contains land not worth one dollar and twenty-five cents per acre. Every State contains such land, and no one more than Virginia. That great State would be unoccupied to the extent of near one-third of her territory, at this day, if one dollar and twenty-five cents per acre had been fixed as the minimum price of her lands. I have in my hand an abstract of a late assessment of her taxable property, in which, with all their improvements, and hundreds of years after the settlement of the State, whole counties are averaged from seventy cents to eighteen cents per acre ; and part of which I will read to the Senate, to show to the gentleman the injustice of the resolve which he has applauded, and the effect upon Virginia herself, if her own lands had been sold by the rule which she prescribes for others.

Extract from the table of assessed lands in Virginia.

Counties.	No. of Acres.	Average Value.
Tyler.....	935,817	68 cents.
Tazewell.....	894,524	33 do
Scott.....	609,644	44 do
Russell.....	1,268,271	24 do
Randolph.....	1,636,301	23 do
Patrick.....	707,138	71 do
Lewis.....	694,573	56 do
Lee.....	1,810,857	18 do
Kenhawa.....	2,990,556	34 do
Giles.....	720,133	48 do
Grayson.....	274,717	27 do

Here, continued Mr. B. is a return of assessed values of Virginia lands, eleven counties, containing more than twelve millions of acres, constituting the one-third part of the superficial contents of the State ; and the highest average of which is seventy-one cents per acre ! a fraction over the one-half of the minimum price of Congress land, and the price at which the enemies of graduated prices intend to hold all the public lands. What would have been the condition of Virginia to-day if her lands had been held up at that price ? A wilderness — an unoccupied wilderness—to the extent of a third, or perhaps, a half of her entire domain.—*Globe*.

A PROCLAMATION

By the President of the United States of America.

WHEREAS, it has come to the knowledge of the Government of the United States, that sundry secret Lodges, Clubs, or Associations exist on the Northern Frontier; that the members of these Lodges are bound together by secret oaths; that they have collected fire arms and other military materials, and secreted them in sundry places; and that it is their purpose to violate the laws of their country, by making military and lawless incursions, when opportunity shall offer, into the Territories of a Power with which the United States are at peace; and whereas it is known that travelling agitators, from both sides the line, visit these Lodges, and harangue the members in secret meeting, stimulating them to illegal acts; and whereas the same persons are known to levy contributions, on the ignorant and credulous, for their own benefit, thus supporting and enriching themselves by the basest means; and whereas the unlawful intentions of the members of these Lodges have already been manifested, in an attempt to destroy the lives and property of the inhabitants of Chippewa, in Canada, and the public property of the British Government there being:

Now, therefore, I, JOHN TYLER, President of the United States, do issue this my proclamation, admonishing all such evil-minded persons of the condign punishment which is certain to overtake them; assuring them that the laws of the United States will be rigorously executed against their illegal acts; and that if in any lawless incursion into Canada they fall into the hands of the British authorities they will not be reclaimed as American citizens, nor any interference made by this Government in their behalf.

And I exhort all well-meaning but deluded persons who may have joined these Lodges immediately to abandon them, and to have nothing more to do with their secret meetings, or unlawful oaths, as they would avoid serious consequences to themselves. And I expect the intelligent and well-disposed members of the community to frown on all these unlawful combinations and illegal proceedings, and to assist the Government in maintaining the peace of the country against the mischievous consequences of the acts of these violators of the law.

Given under my hand, at the city of Washington, the twenty-fifth day of September, A. D. one thousand [L. s.] eight hundred and forty-one, and of the Independence of the United States the sixty-sixth.

JOHN TYLER.

By the President:

DANIEL WEBSTER, *Secretary of State*.

A PROCLAMATION

By the Governor of the State of New York.

WHEREAS, in the month of July last two field-pieces, the property of this State, were unlawfully removed from their proper depositories in Cayuga county: And whereas, on or about the 17th of September, instant, a magazine at Lockport was feloniously entered and a large quantity of gunpowder belonging to citizens of this State was taken therefrom: And whereas these transactions, connected with other circumstances, indicate that some evil-disposed persons are engaged in collecting ordnance, arms and ammunition within this State for unlawful purposes, and with designs dangerous to the public peace and the general welfare: Now, therefore, I do hereby enjoin upon all magistrates and public officers, that they be diligent in bringing to justice the persons who are engaged in the transactions aforesaid. Hereby revoking all offers of rewards heretofore made in regard to the offence first mentioned, I now offer a reward of two hundred and fifty dollars, to be paid to the person who shall give information resulting in the conviction of any individual of either of the crimes before mentioned.

In testimony whereof, I have caused the privy seal of the State to be hereunto affixed, at the city of Albany, [L. s.] this twentieth day of September, one thousand eight hundred and forty-one.

WILLIAM H. SEWARD.

By the Governor,

HENRY UNDERWOOD, *Private Secretary*.

Methodist Church in Ohio.

The Ohio annual conference have just held their meeting at Urbana.

The number of members in the districts of Cincinnati, Lebanon, Dayton, Urbana, Chillicothe, Columbus, Zanesville, Marietta, Kanawha, and of German Missions, are

White.....	56,087
Colored.....	606
Local Preachers.....	422
In Cincinnati, they number.....	8,610

The number of Sabbath Schools are 348, having 19,511 scholars. What a powerful influence these schools are destined to wield. The school library has 38,246 books.

The North Ohio Conference has 24,407 members!

[Urbana Citizen.

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*From the New York Herald.*

## **"Kamschatka," the Russian Steam Frigate.**

We stated yesterday, that this war steamer made an experimental trip down the bay last Thursday. She left her anchorage, opposite Jersey city, at ten o'clock in the morning, ran up the river about three miles, turned, and steamed to Sandy Hook, and a few miles outside. In all, she ran over forty-four miles of water, and returned to the city at half past six in the evening. She was piloted by Mr. Vosburg, of the "New York."

A small and select party of ladies and gentlemen accompanied her. M. de Bodisco, the Russian Minister, and the Belgian Minister, were among the number.

This trip was purely experimental, and made preparatory to the final departure of the steamer, early next week, for Cronstadt. It proved highly satisfactory; and it is now ascertained that in speed, the "Kamschatka" is not equalled by any sea steamer now floating on the Atlantic Ocean, or the Pacific, or the Indian, or the Black Sea, or the Baltic.

When she started, she displaced 2,468 tons, and consequently drew a good deal of water. She had eight inches of steam on, and in running up the river her wheels made ten revolutions per minute, against a three knot tide. And in coming down the Bay, the steam gauge went up to ten and a half inches, and the revolutions reached ten to ten and a half per minute. Her speed was then nine miles per hour, against a head wind with yards squared, and a two or three knot tide, which made her actual speed to be at least twelve miles an hour! This was produced by the use of anthracite coal exclusively. Had bituminous coal been burned, greater would have been the speed. It must be borne in mind, that this was the first trip of the steamer, and that her machinery had never before been used.

At one point in the Bay, where the wind was favorable, part of her sails were unfurled, and then she made about thirteen miles per hour. She performed this distance easily, notwithstanding the escape of some steam, which will hereafter be saved, by the expansion of the pipes and valves.—We think that when a vessel, displacing 2,468 tons, with every thing about her new and untried, succeeds in moving through the water at the rate of twelve miles, or even nine miles per hour, she must be perfect in model and line.

Her consumption of coal averaged at the rate of twenty-seven tons only per day, and she can therefore carry one month's supply with no inconvenience whatever. She burns the anthracite without the use of blowers, which are used in many steamers burning the same kind of fuel. This is a great improvement and an immense saving. We do not believe that ever a steamer had so cool engine rooms as the "Kamschatka." In any part of them, over the boilers, or close to the fires, the air is cool, and the rooms very light. Indeed, near the fires the draft is so strong that it blows the lights out. When full steam is on, a person can go all over the iron grated floors, around and about the boilers and cylinders, and inspect every piece of machinery almost as easily and as comfortably, and as conveniently, and as coolly as they can paintings or statuary on shore, and perhaps with equal pleasure too. On Thursday ladies visited the engine rooms while the machinery was in motion, walked all around, and came out delighted, and as clean as when they went in. We must say that the cleanness and neatness of the whole vessel is remarkable. There is none of that dirty,

dingy appearance, which is characteristic of steamers burning bituminous coal—particularly of English steamers.

One of the principal features of the "Kamschatka" is the steadiness, and easy, swan-like motion, with which she moves through the water. There is no jar, no disagreeable noise, arising from the machinery—all is quiet and firm. Standing on the deck, persons do not feel as if the entire fabric beneath them was tumbling to pieces. They feel safe and secure.

To describe her as she ought to be described would take several columns, there are so many improvements in her model and her machinery. When she passed between the "North Carolina," and "La Belle Poule," the officers of those vessels were on their decks, and they remarked, particularly the French, the beauty of her model and rig, and the neat and nimble wheels as they ploughed through the water. These wheels have been constructed on a new plan, giving to an apparently slight wheel great strength and increased power of propulsion.

Her engines are of six hundred horse power, and her tonnage about two thousand. The proportion of steam power to size is not far from one horse to three and one-third tons, which is considered the best for speed. The principle on which her engines are worked is called the triangular. The piston moves horizontally, and the connecting rod is on an incline of about sixty degrees. The air-pump is worked vertically by a crank connected with the beam shaft.

All the machinery is of the most superb kind, finished in a masterly manner, and made entirely of Livingston Iron. Her four large boilers are made of American copper, and there is not a bit of foreign metal about her. Her cylinders weigh ten tons each, and were the largest ever cast in this country, and her shafts were the heaviest cast at the time of their casting.

There is one feature in her machinery which ought not to be overlooked. That which turns the wheels is new and possesses greater power, and gives greater steadiness, than any we have ever seen. It has three joints, like the wrist, elbow, and shoulder of a man's arm. Those on our steamers have only two joints, hence the superiority of the propellers of the Russian steamer. There is no jerk about them.

Connected with the engine is an apparatus with which the magazine, and in fact the whole vessel, could be flooded with water in a very short time, so there is no danger of being burnt up.

The station for the Chief Engineer is so constructed that from one place he can manage and overlook the whole, and tell in an instant when a neglect of duty occurs.

Her hull is black, with splendid turned and pointed bows, and round stern, each surmounted with a large double-headed gilt eagle. She is rigged like a ship. She will spread as much canvas as either the England or Sheffield packet ships. Her spar deck is flush fore and aft, and gives a clean run of 240 feet. On this are placed four Paixhan bomb cannons, two are to throw shells of 96 pounds weight, and two of 64 pounds. Above these is the hurricane deck, which runs across from wheel-house to wheel-house. Connected with this is an awning, which completely covers the spar-deck. Around the wheel-houses are erected places for the painters, carpenters, stewards, boat keepers closets for the sailors, as we mentioned last July. Aft are several splendid state rooms, intended for the Emperor, and other high officers. To each state room is attached a small room for ser-

vants. Four boats are suspended upon the davits, and hang even with the deck.

On her forward gun deck are ten port holes, out of which run ten 36 pounders mounted on massive carriages, made of African oak, and brass mounted. This deck is spacious, light and airy, and is shut from the after section of the same deck by sliding or folding doors. These close just forward of where the cook has an immense cooking apparatus, which is laid on marble for the sake of neatness, durability and safety. Directly astern of this, runs up the funnel 45 feet, with a rake on a line with the rake of the masts, and the hoops around it beveling with the tops. This gives uniformity to the appearance of the vessel. This funnel is seven feet in diameter. Aft of it is the machinery which runs down to the keelson, and is laid on copper.

Under her forward gun deck are the boatswain's store rooms, magazine, medicine rooms, clerk's office, gunner's apartments, mess rooms for the sailors, and places for them to sleep, keep their clothing, and stow away their hammocks—and for compactness and comfort we never saw their like.

Her cabins and drawing rooms are magnificent. Her main cabin, the farthest astern, is large, the whole width of the ship, high, spacious, and neatly fitted up with settees, stuffed with hair, and covered with haircloth. This cabin will carry six 36 pounders, and they always remain therein ready for use. Forward are two drawing rooms, fitted up in the most splendid style, and are intended for the imperial family. The wood work of these rooms consists of mahogany, bird's eye maple, rose and satin wood, and presents a very fine appearance. Beneath these are the ward room, and cabins for the officers, and around are cool pantries and closets, also the steward's bar and ample storage room.

For strength her hull is not surpassed by any vessel afloat. She has iron straps innumerable, and knees and cross knees beneath every deck.

Such is the "Kamschatka." Her model was drafted and her line drawn and calculated by Captain Von Shants of the Russian Navy, and Captain Pepin of the Russian Naval Engineer Corps, assisted by Lieutenants Scharoubine of the Engineer Corps, and Flotoff of the Navy. And never has so perfect a model been presented to the public. Her line, as calculated has come out precisely, and her speed fully, if not more than equal to expectation. And her machinery which was constructed by Messrs. Schuyler of Jersey city, after plans of their own, and of the Russian officers, is an honor to this country. Its workmanship is superb, and its action beautiful, easy and satisfactory. It was all put up under the superintendence of Mr. Scott, an American, who goes to Russia in the steamer in the capacity of chief engineer. Her hull was built by Wm. Brown, the largest steam-boat builder in this city. As a specimen, no better can possibly be sent abroad. She is the cheapest vessel of the kind we ever heard of, and her cost is \$200,000 less than either that of the "Missouri" or the "Mississippi," the two steam frigates recently built for our government.

What a reflection she casts upon our merchants. Here is a vessel, the finest in the world, built in this city by American shipwrights and American machinists, at an expense of only \$400,000, and of speed unequalled. What a commentary it is, too, for the genius of this country to be brought out by the Czar of Russia! If our merchants had formed a company two years ago, with a capital of \$1,200,000, they might now have four steam ships, of the size and dimensions of the "Kamschatka," crossing the Atlantic in ten days, outstripping every other steamer, and ever ready to enter the service of the United States in the event of a war. But they have chosen to let Emperor Nicholas teach them that "some things can be done as well as others" in the United States.

In conclusion, we have a word to say respecting the Russian naval officers. They will leave us in a few days, and we cannot, therefore, lose this opportunity.

Within the last ten years great progress has been made in Russia in the arts and sciences, and every exertion made by the Emperor for the advancement and improvement of his people. He has left no stone unturned, and about three years ago he despatched Captain Pepin and Lieut. Scheron-

bine, of the Naval Engineer Corps, to England, for the purpose of learning everything in relation to steam navigation, railroads, dry dock and ship yards, and to take drawings thereof. Not meeting with much success in that country, they wrote to that effect. He instantly sent them an order to "go to America." They arrived here about two years since, and travelled North, South, East and West, and also to Texas. They visited every ship yard, every naval station, every dry dock, every ship and every steamer in the country. Their gentlemanly deportment made them friends wherever they went. They have been cordially received from the President down—every facility was afforded them, and the result is, they have in their *porte feuille* plans and drawings of docks and steamers, and steam engines, and locomotives and spile drivers to the number of three hundred and over. All these they drew with their own hands, and a more valuable collection is not owned by any other government. After taking them they received instructions to attach themselves to the "Kamschatka," and assist Captain Von Shantz in her construction.

With such officers, as the four named above, the Emperor has reason to feel proud of his Navy.

For her dimensions, See Vol. IV. p. 332.—Ed.

#### Naval Reception of the Prince De Joinville.

The reception of the Prince de Joinville by the officers of our Navy, has been marked with all the courtesy due to so distinguished a visitor. On the arrival of La Belle Poule a salute was fired—which was promptly returned by the U. S. ship North Carolina. The Prince soon after visited the North Carolina, and the visit was next day returned by Commodore Perry, who in the meantime had directed the civilities of the port, and the conveniences of the dock yard to be tendered for the use of the Prince's ships. On Saturday, agreeable to invitation, the Prince visited the Navy Yard and Brooklyn, where a salute of 21 guns was fired on his arrival. A full garrison of marines and a volunteer company, who had handsomely offered their services, were drawn up in the yard to receive him, the band playing a national air, and the tri-colored flag flying on the ships of war. After visiting the Commandant's quarters and receiving the hospitalities of the Navy, the Prince visited the ships in ordinary, and the steamer Missouri, the work-shops, rope-walks, &c.—with all of which he expressed himself highly pleased, and with the general arrangements of the yard. On leaving the yard, a salute due to the naval rank of the Prince, was fired, which was duly acknowledged on his arrival on board La Belle Poule.—*N. Y. Express*.

#### American Books.

*Stephens' Travels*.—Mr. Murray, the celebrated London Bookseller, has furnished in his own person the best exemplification we have yet had of the faith still cherished to some extent in Great Britain, that nobody "reads an American book." The Messieurs Harper sent over five hundred copies of Stephens' Examination of the Central American Antiquities, and the great English publisher had so little faith that the book could sell in England that he refused to take the volumes from the Custom-house, and they would not have appeared before the London public at all, if our Consul, Mr. Aspinwall, had not guaranteed an indemnity to the bookseller. Having taken this guaranty, Mr. Murray received the volumes, and they were all very speedily sold, and the call for more copies was so urgent that an additional supply was demanded of the American publishers. The new supply has been forwarded, and there is very little doubt that more still will be called for. The popularity of the work is almost unprecedented. About ten thousand copies of the American edition have already been sold, and the interest is still fresh as ever, and the demand is just as incessant as during the first week of the publication. The Harpers are still called upon for some five or six hundred copies a week. The work has been translated into German, and a French edition is about to be published in Paris.

[*N. Y. Courier & Inquirer*.

## SALT ROCK.

Much labor and money have been at various times expended in the vicinity of Salt Springs to discover the sal gem from which the water derives saline properties.

I have had considerable correspondence with Thomas Spencer, Esq., the agent of this State, and Superintendent of the Salt Works at Syracuse, in relation to the Salt Springs at that place, and from all the facts I could gather, had formed an opinion that the brine obtained from those salt wells is the result of a lixiviation of the under strata of the earth by water from the clouds, and not from the dissolving of the sal gem below the surface of the earth.

The Mogul Tartars, by lixiviating the earth impregnated with muriate of soda and evaporating the solution, obtained salt.

I have recently received a letter from my correspondent, Alexander Findlay, Esq of Saltville, Washington county, Virginia, in which he states that in boring for salt water at that place, they had discovered *Salt Rock*. I give his statement in his own words :

"We are about sixteen miles from the town of Abingdon, on the waters of the North Fork of Holstein, in a valley, or rather a trough, I believe geologists would call it, of peculiar formation. On the first settlement of this country, salt water was discovered by the early settlers in this valley in a swampy piece of ground, the resort of buffalo and deer ; and the place got the name of the Big Lick. One or two small springs were discovered, but I do not know that they were ever worked. Perhaps the settlers in the neighborhood did make what salt they wanted at them. At a very early date wells were dug, and have since been extensively worked.—one of the old wells, and one of the best, having some thirty years since partly caved in, the proprietors of Saltville, about 25 years since, at a distance of about fifty feet from the old well, commenced digging a new well, which they sunk to the depth of about 110 or 115 feet and stopped, finding the old well likely to hold out and answer their purpose. This new well was afterwards sunk to about 178 or 180 feet, and again stopped ; no person having paid any attention to the strata through which they had dug. The received opinion now is, that at about 30 feet they struck plaster and continued in plaster, with occasionally layers of blue and red clay, with a mixture of blue slate. About eighteen months since, we determined to sink still farther into this well, and if possible to get salt water. We again commenced digging in plaster mixed with blue slate and continued in it about forty feet, when we struck the *Salt Rock*. In this we dug about fifty feet, and have since bored about one hundred feet, when we got out of the salt rock, and got into slate with small portions of plaster, which we have bored in for six or seven feet.

About forty-five feet from the old salt well, and the same distance from the new one, in which the salt rock was discovered, we commenced two or three weeks since to bore another hole (not having reached water in the well we were sinking ; we are, however, still going on with it ; ) and have sunk to the depth of about 125 to 130 feet. In this hole, at the distance of 18 or 19 feet, we came to a small layer of plaster, and have since been principally in red clay, occasionally going through small strata of plaster and slate stone in which we have been ever since. About 150 or 200 yards north of where we are digging or boring, the first layer is slate, next a layer of bituminous shale, and then shell lime stone. In digging or boring we have never come to lime stone. Bituminous coal is found 8 or 10 miles from us, but not in sufficient quantities to work ; at the distance of 40 or 50 miles a supply of it could be had, but it is so difficult to get roads to it that at present we could not be compensated for making them. Our salt water contains no bitter water or any other impurity except such as is common to lime stone water. It is said to be the purest and strongest in the world ; from 22 to 30 gallons of the water makes fifty pounds of salt."

Washington county, Va., is bounded on the south-west by the State of Tennessee, and lies in a valley, between the Blue Ridge and Clinch Mountains, and in lat. 36 degrees 35 m.

I shall receive some specimens of the *Salt Rock*, and shall leave some of it at the office of the Journal of Commerce, for the inspection of those who may be desirous to examine it. It is a very important discovery, and it is therefore I take this mode of making the particulars public.

The brine obtained from the last well sunk at Syracuse is of seventy-eight degrees of strength,—water saturated with brine being reckoned at 100—and yields about two pounds of salt to the gallon ; and what is somewhat extraordinary is that the harder the well is drawn by the pump, the stronger the brine that is obtained.

EBEN MERIAM.

*Journal of Commerce.*

## Health of New York.

For the last two months, the number of deaths in this city has averaged above 200 per week. This is quite as large a mortality as usual, even at this least healthy season of the year. There is, however, no prevailing disease, and the occurrence of frost, which must be near at hand, will doubtless have a beneficial effect. The greatest number of deaths last week by any one disease, was 28 by cholera infantum. Then came consumption with its 27 victims, convulsions 14, dysentery 14, marasmus 13, &c. And as if the whole train of diseases and accidents were not doing the work of death fast enough, two persons committed suicide. Five were drowned. The following schedule will show the comparative mortality in different weeks for nearly five months past :

Sept.	18.....	213
	11.....	213
	4.....	191
Aug.	28.....	190
	21.....	224
	14.....	202
	7.....	202
July	31.....	211
	17.....	171
	10.....	151
June	26.....	105
	19.....	107
	12.....	124
	5.....	127
May	29.....	149
	22.....	123
	15.....	124
	8.....	152

In 1840, the number of deaths during the week ending September 19, was 166; September 12, 183 ; September 5th, 209.—*Times*.

## Important Discovery.

A large deposit of excellent iron ore was discovered a few days since, in digging a well on the property of Mr. William Albright, on the west side of the Susquehanna, nearly opposite this place. The vein has already been pierced to the extent of nearly seven feet, and "the end is not yet." On examination it was discovered that the rocks in the road over which wagons had been passing for forty years, were an excellent iron ore.

This discovery is of the utmost importance, and will render this place, in point of facilities for the manufacture of anthracite iron, unequalled by any other in Pennsylvania.

The ore strata is, we presume, a continuation of the celebrated Monteur iron ridge. A railroad of about one hundred yards in extent, would enable us to have the ore brought to the water's edge at a trifling expense. Thus, with iron ore and lime stone close by, and abundance of coal which can be brought from the Shamokin mines to this place, in large quantities, at \$1 75 per ton, we present a field of enterprise for the manufacture of anthracite iron, that must and will ere long be embraced by those who desire to make profitable investments.

*Sunbury American.*



## A SUMMARY STATEMENT

*Of the quantity and value of goods, wares, and merchandise, imported into the United States, in American and foreign vessels, commencing on the 1st day of October, 1839, and ending on the 30th day of Sept., 1840.*

SPECIES OF MDZE.	Quantity.	Value.	SPECIES OF MDZE.	Quantity.	Value.
MERCHANDISE FREE OF DUTY.					
Articles imported for the use of the United States.....	....	\$17,999	Camlets of goat's hair.....	....	\$7,240
Articles specially imported for philosophical societies, &c.			Worsted stuff goods.....	....	2,387,338
Philosophical apparatus ..	....	5,846	Linens, bleached and unbleached.	....	4,179,120
Books, maps and charts..	....	42,760	Ticklenburgs, osnaburgs, and bur-laps .....	...	329,054
Statuary, busts, casts, &c.	....	3,217	Sheeting, brown and white.....	....	261,173
Paintings, drawings, etchings and engravings ..	....	8,520	Bolting cloth .....	....	74,534
Specimens of botany .....	....	5,121	Wool, not exceeding eight cents per pound.....pounds.	9,303,992	675,009
Anatomical preparations .....	....	1,054	Quicksilver.....	....	54,415
Antimony regulus of .....	....	11,379	Opium.....	....	40,874
Spelter, or zinc.....	....	85,225	Crude saltpetre .....	....	366,263
Burr stones unwrought .....	....	44,668	All other articles .....	....	5,849,116
Brimstone and sulphur .....	....	65,751	Total.....	....	57,196,204
Bark of the cork tree.....	....	9,022	MERCHANDISE PAYING DUTIES AD VALOREM.		
Clay, unwrought.....	....	7,073	Manufactures of wool—		
Rags of any kind of cloth.....	....	564,689	Cloths and cassimeres .....	....	\$4,696,529
Undressed furs.....	....	422,810	Merino shawls .....	....	126,609
Hides and skins, undressed.....	....	2,756,214	Blankets, not above seventy-five cents each.....	....	239,757
Plaster of Paris.....	....	135,956	Above seventy-five cents each.....	....	330,660
Barilla.....	....	111,607	Hosiery, gloves, mits and bindings	....	506,452
Wood, dye.....	....	476,310	Other manufactures of wool.....	....	221,885
Unmanufactured mahogany, and other .....	....	307,645	Woollen yarn.....pounds.	1,547	807
Animals for breed .....	....	26,772	Worsted yarn .....	....	103,931
All other .....	....	145,511	Manufactures of cotton—		
Pewter, old.....	....	168	Dyed, printed, or colored.....	....	3,893,694
Tin, in pigs and bars .....	....	200,215	White .....	....	917,101
In plates and sheets .....	....	879,078	Twist, yarn, and thread.....	....	387,095
Brass, in pigs and bars.....	....	73	Hosiery, gloves, mits and bindings	....	792,078
Old.....	....	1,602	Nankeens, direct from China ....	....	1,102
Copper, in pigs and bars .....	....	1,100,664	Other manufactures of cotton....	....	513,414
In sheets, suited to the sheathing of ships....	....	411,567	Manufactures of silks from India, China, &c.—		
Old, fit only to be re-manufactured.....	....	70,405	Piece goods .....	....	963,441
Bullion, gold .....	....	273,127	Sewing silk.....	....	23,089
Silver .....	....	463,434	Other manufactures of silk .....	....	225
Specie, gold .....	....	2,812,030	Silk, sewing, from other places....	....	251,275
Silver .....	....	5,328,222	Lace, thread, and cotton .....	....	468,425
Teas, from India, China, &c. lbs.	19,981,476	5,417,589	Flaxen goods—linens, dyed and colored, checks, &c.....	....	113,662
Coffee.....	94,996,095	8,546,222	Other manufactures of flax.....	....	321,684
Cocoa .....	2,626,369	161,389	Hempen goods—sail duck.....	....	615,723
Fruits, almonds.....	2,930,089	199,863	Other manufactures of hemp ....	....	71,991
Currants.....	589,765	56,651	Hats and bonnets—		
Prunes.....	1,652,819	74,593	Leghorn, chip, straw, or grass flats, &c. ....	....	438,000
Figs.....	2,023,073	102,333	Fur, wool, and leather .....	....	7,429
Raisins, Muscatel, &c.	13,620,963	787,228	Manufactures of iron and steel—		
All other....	4,923,084	184,221	Side arms .....	....	16,196
Spices, mace .....	9,575	7,576	Fire arms, not specified .....	....	118,589
Nutmegs.....	142,890	122,603	Drawing knives.....	....	6,270
Cinnamon .....	22,167	15,314	Cutting knives.....	....	7,304
Cloves.....	268,951	47,568	Hatchets, axes, and adzes .....	....	5,915
Pepper.....	5,049,129	189,928	Socket chisels .....	....	9,938
Pimento .....	2,262,942	121,543	Steelyards and scalebeams.....	....	7,048
Cassia .....	647,102	49,023	Vices.....	....	8,420
Ginger.....	59,909	5,384	Sickles and reaping hooks.....	....	5,643
Camphor .....	164,841	62,556	Scythes.....	....	36,895
Silks, lace veils, shawls, shades, &c.	....	309,858			
Other manufactures of ....	....	7,979,100			
Silk and worsted, manufactures of	....	1,729,792			





TABLE CONTINUED.

SPECIES OF MDZE.	Quantity.	Value.	SPECIES OF MDZE.	Quantity.	Value.
Cordage—cables and tarred . . lbs.	1,480,933	\$89,504	Sheathing, binders', wrapping		
Untarred and yarn. "	379,014	13,434	and box boards . . . . . "	8,781	871
Twine, packthread, &c. . . . . "	806,493	141,973	All other. . . . . "	38,312	13,233
Corks . . . . . "	241,689	56,186	Books—printed previous to		
Copper—rods and bolts. . . . . "	5,183	1,071	1775 . . . . . vols.	8,697	5,855
nails and spikes. . . . . "	1,426	361	Printed in other languages		
Fire arms—muskets. . . . . number.	8,824	34,200	than English, Latin and		
Rifles . . . . . "	56	976	Greek . . . . . "	111,108	77,155
Wire—cap or bonnet . . . . pounds.	3,543	2,262	Printed in Greek and Latin—		
Iron and steel wire— not above			bound . . . . . pounds.	2,812	2,324
No. 14 . . . . . "	184,259	9,885	Unbound . . . . . "	3,112	2,088
Above No. 14 . . . . . "	36,215	5,811	All other—bound . . . . . "	25,975	37,592
Iron—tacks, brads, and sprigs—			Unbound . . . . . "	90,534	85,750
not exceeding 16 ounces per			Apothecaries' vials and bottles,		
1,000. . . . . M.	2,852	708	not exceeding the capacity of		
Exceeding 16 oz. per 1,000 . lbs.	1,382	166	6 oz. each. . . . . gross.	189	559
Nails . . . . . "	715,191	62,477	Exceeding 6 and not exceed-		
Spikes. . . . . "	104,134	5,032	ing 16 oz. each. . . . . "	87	366
Cables and chains, or parts			Perfumery and fancy vials and		
thereof . . . . . "	2,114,760	89,643	bottles, not exceeding the ca-		
Mill saws . . . . . number.	575	1,874	capacity of 4 oz. each . . . . . "	47	890
Anchors . . . . . pounds.	154,227	8,876	Exceeding 4 but not exceeding		
Anvils . . . . . "	324,698	23,203	16 oz. each . . . . . "	30	681
Blacksmith's hammers and			Demijohns . . . . . No.	85,508	25,072
sledges . . . . . "	35,279	1,922	Glass bottles, black, not above		
Castings—vessels of . . . . . "	444,288	14,672	1 quart . . . . . gross.	25,328	116,876
All other. . . . . "	3,180,100	100,824	Exceeding 1 quart . . . . . "	220	1,392
Round, as braziers' rods, of			Window glass, not exceeding		
3-16 to 8-16 inch diameter. "	433,620	47,782	8 inches by 10 . . . . . 100 sq.ft.	1,918	6,711
Nail or spike rods. . . . . "	1,108	24	Exceeding 8 by 10, and not		
Sheet and hoop. . . . . "	5,529,585	235,809	exceeding 10 by 12 inches "	3,110	10,277
Band iron, scroll iron, or case-			Exceeding 10 by 12 inches . "	19,198	39,758
ment rods, slit or hammered "	34,470	963	Fish, dried or smoked. . . . quintals.	4,061	19,355
In pigs . . . . . cwt.	110,314	114,562	Salmon . . . . . bbls.	4,860	78,232
Old and scrap . . . . . "	14,142	15,749	Mackerel . . . . . "	11,823	114,590
Bar—manufactured by rolling	656,574	1,707,649	All other. . . . . "	8,810	48,979
manufactured otherwise "	576,381	1,689,831	Shoes and slippers, silk . . . . pairs.	2,030	1,858
Steel . . . . . "	44,506	528,716	Prunella, nankcen, &c. &c. . . "	403	268
Hemp . . . . . "	93,788	686,777	Leather, kid, and morroco, &c. "	47,386	32,377
Alum. . . . . "	1	9	Children's. . . . . "	1,823	589
Copperas . . . . . "	55	73	Boots and bootees. . . . . "	12,012	36,141
Wheat flour. . . . . "	329	430	Playing cards . . . . . packs.	66	5
Salt . . . . . bushels.	8,183,203	1,015,426	Felts or hat bodies . . . . . No.	513	269
Coal. . . . . "	4,560,287	387,238			
Wheat. . . . . "	593	639	Value of merchandise paying spe-		
Oats. . . . . "	1,453	837	cific duties . . . . .	....	22,946,334
Potatoes . . . . . "	35,952	16,690	Do. ad valorem duties . . . . .	....	26,998,981
Paper—folio and quarto post. . lbs.	51,524	15,109	Do. free of duty. . . . .	....	57,196,204
Foolscap, drawing and writing. "	337,492	40,620			
Printing, copperplate, and			Total . . . . .	....	107,141,519
stainers' . . . . . "	1,489	436			

Imports in American vessels .....92,802,352

“ Foreign vessels.....14,339,167

TREASURY DEPARTMENT, Register's Office, June 22, 1841. T. L. SMITH, Register.

Low Water.

Our forwarders and canal shippers are suffering great inconvenience, in consequence of the low stage of water in the lake, and consequent lack of that element in the canal. In every direction we see canal boats, laden with wheat and flour aground, unable to move forward. This derangement also extends to our harbor, where much embarrassment prevails among the like craft, both on entering the harbor and in attempting to approach the wharves and unload.

Independent of the great and prolonged drought, the water in the lake is far below any mark within the remem-

brance of our oldest Salts. Many ports on the lake are almost inaccessible to the largest steamboats.—*Buffalo Jour.*

Coal and Copper.

It is said that Governor Doty has discovered bituminous coal and copper on the St. Peters, to which steamboats can ascend. Specimens are now at Prairie du Chien.

The Huntsville Ala. Branch of the State Bank has, at last, stopped specie payments. This is the only one of the branches which has continued paying specie until the present time.

### Sketch of Gen. Roger Nelson.

Perhaps no single county in any State of our Union, furnished better soldiers in the war of Independence than Frederick county, Maryland. From this favored spot issued forth to the bloody field O. H. Williams, Beatty, Ford, Weltner and Everheart; who either ended their career in the storm and fury of battle, or triumphed in the shout of victory. To this patriotic band should be added *Roger Nelson*, who was born near the Point of Rocks on the Potomac, in 1762, and in 1780 entered as a Cadet in the old Maryland line, which for courage and discipline was hardly exceeded by Cæsar's tenth legion, or the imperial guards of Napoleon. In the summer of this year he was united to the Southern army, now commanded by Gen. Gates, the conqueror of the ill-fated Burgoyne. The American General left his country seat in Berkley county, Virginia, in July of this year, and reached head quarters on the 25th, where the command of the troops was surrendered into his hands by the Baron De Kalb.—Great distress prevailed; ammunition, arms and provisions were wanted; the militia were undisciplined; the inhabitants disaffected; the country laid waste by a victorious foe; our countrymen slaughtered by the relentless legion of Tarlton; families flying in grief and despondency, and several of the Southern States in the actual occupation of the royal army. Gates took his position at Rugely's mills, Lord Rawdon at Camden. Cornwallis himself arrived on the 15th of August, and assumed the command. Both armies took up the line of march about half past two in the morning of the 16th August, 1780, and met unexpectedly in the woods, where considerable skirmishing continued for some time, eventuating in some loss and much confusion among our troops. From this disastrous commencement they seem not to have recovered during the day. Gates displayed but little skill, either in the plan of battle or its execution. The continentals under Smallwood, Stephens and De Kalb, performed deeds of daring on that day worthy of their former fame.—Neither the shameful flight of the militia, nor the destructive fire of the British van, could induce them to yield the battle field, until nearly 400 were slain, and many hundreds wounded and taken prisoners. The brave Baron, with all the composure of a philosopher, and the calm fortitude of an accomplished soldier, yielded up his spirit on the spot where he fell, with the most ardent prayers for the prosperity of the country, to obtain whose independence he had left his native land and encountered all the accidents "of flood and field."

In this disastrous conflict, young Nelson fought with all the native intrepidity of his character. In the retreat he was wounded and fell. A merciless band of the enemy surrounded him, and before their vengeance was gratified, he received several flesh wounds. In vain did he cry for quarters; their response was, "we will quarter you." Weltering in blood, exposed to the vertical sun, without any assistance or refreshment of any sort, he lay on the sand until life was almost extinct. He was, however, providentially discovered, his wounds dressed, and borne away a prisoner to Charleston, S. C. He is now in the hands of an exulting and triumphant enemy, far from his friends and fellow-soldiers, ignorant of his future fate; depending for the restoration of his health on the care of those who felt no interest in the result; his beloved Maryland line dispersed amid the disastrous reverses of war; many of his companions, to whom he was attached by the tenderest ties, slain or captured; the star of his country obscured by clouds, and the hope of liberty nearly extinguished.

In this sad and painful condition of body and mind, young Nelson continued for some months, until he was exchanged, and was soon after appointed Lieutenant in the Regiment of Cavalry commanded by the celebrated Col. William Washington, than whom Murat himself was neither more brave nor skilful. His wounds being now healed, he entered on the duties of his rank with zeal and enthusiastic ardor. His chief, alone, was a tower in the day of peril; he inspired every bosom and nerved every arm. When the bugle sounded for battle, each soldier watched the eye of their Colonel, and panted for the contest as they beheld, in his manly visage, the spirit of patriotism animating and lighting up every feature of his noble countenance. It was the good fortune

of Nelson to serve under the chivalric Colonel at Guilford Court House, on the 15th March, 1781. Greene was now the successor of the ill-starred Gates, and after a great variety of military manœuvres, which alike signalized the skill both of himself and Cornwallis, those two accomplished commanders resolved this day to try once more the fortune of war. The royal army was composed of the best troops, led by the bravest officers. At the head of the American army was Greene, second to none but the Father of his Country, whom none could equal. Greene selected his ground very advantageously, and made the most skilful disposition of his forces. His right flank was commanded by Col. Washington. Leslie, Webster, O'Hara and Cornwallis brought up their troops with admirable coolness and skill, and attacked our line with their usual bravery and perseverance. The battle soon raged with fury; the best troops of both armies met in deadly strife; the roar of artillery and small arms was heard throughout the surrounding country. Victory seemed doubtful; the shout of advancing columns re-echoed through the neighboring woods. For more than two hours the contest was every moment more terrible, and the patriotic bosom of Greene alternately filled with the bright visions of hope, and the suggestions of despair. In the midst of the engagement, Washington charged the British guards with great fury, and broke their ranks. Sergeant Everheart,\* who had been prevented from participating in the conflict from severe wounds received at the Cowpens on the preceding 17th January, (the good old man yet resides in Middletown valley,) says that he witnessed the charge from the top of an hill, where Washington had left him for the protection of the baggage wagons. He declares it was one of the most splendid feats performed during the war. At this moment the infantry rushed to the aid of the cavalry, and the slaughter of the British was severe. It was now that Capt. Smith, of Baltimore, cut down the commander of one of the battalions of the enemy. The circumstances were related to me by the late Col. Anderson, of Montgomery county, who fought on that day as a captain in Gunby's regiment. He happened to be very near when the event occurred. Smith had been captured at Camden, and while a prisoner had been cruelly treated by this very officer; when bidding him adieu on his exchange, Smith sternly remarked: "if the fortune of war should ever bring us in conflict in the same field, be assured that your tyranny shall be surely repaid." On the day prior to the battle of Guilford, Anderson saw Smith busily engaged in sharpening his sword, with the fixed purpose of fulfilling his threat should opportunity offer. That determination was fatally gratified, for he fell a lifeless corpse at the foot of the injured American.

Military men agree that the Battle of Guilford was a well fought action, and that both armies were alike brave and undaunted. Nelson conducted himself with courage and coolness throughout the whole conflict. Our loss in killed, wounded and missing, was 14 commissioned officers, and 312 non-commissioned officers and privates; that of the enemy 532, among whom were Lieutenants Colonel Stewart and Webster, two of the finest officers in the army of Cornwallis.—Greene, it is true, retreated, but only with the view of soon again seeking battle with his highly gifted adversary. From this time the hostile armies were constantly engaged in the boldest efforts of partizan warfare; in recruiting and disciplining their troops; in carrying on the siege of Ninety Six, and in harassing each other by all the stratagems of warfare. In the Carolinas and Georgia, the civil war in the summer of 1781 raged with unmitigated fury and violence.—Lord Rawdon left America early in the fall for England, and the command devolved on Lieutenant Col. Stewart. On the morning of the 8th of September, 1781, at the Eutaw Springs, the two armies met. Greene arranged his forces with much skill. Washington, with cavalry, and the infantry of Kirkwood, formed his corps d' reserve. As the continental troops came into the engagement, Washington was ordered to act on the left. After viewing the situation of the enemy, he determined to turn their right flank, commanded by Major Banks, and to charge its rear. In this charge,

\* See Vol. III, p. 220.

to the unspeakable mortification of Lieut. Nelson, he saw his gallant commander wounded, his horse killed under him, and ere he could be disengaged, taken prisoner. This obstinate battle lasted nearly four hours; the loss on each side was estimated at about one thousand, and but for the protection afforded the British troops, who sheltered themselves in a brick house, whence they destroyed great numbers of our men at every fire, the royal army must have been cut in pieces, or have surrendered at discretion. Thus ended the brilliant affair at Eutaw, unequalled by any other engagement during the Revolution. The British power in the South was at once annihilated. Confidence in the justice of our cause and the valor of our troops was restored and increased, and peace began to dawn once more on our distracted and impoverished country. Lieut. Nelson, however, still remained with the army until it was disbanded after the capitulation of Yorktown.

Through these various and appalling scenes he had passed before he attained his twentieth year. In 1783, on his return to Maryland from the army, he studied law in the office of William H. Dorsey, in Georgetown. He subsequently removed to Taney town, and in that small village commenced his professional career, whence he soon after came to Fredericktown, where he acquired a very extensive practice.

His manners were popular; his life had been full of thrilling incidents; the fortunes of a soldier attracted public attention; and his friends soon clustered around him, feeling strong interest in his welfare. Politics now excited the general attention, and in '95 he was elected to the House of Delegates of his native State. In 1800, and oftentimes afterward, did the voice of Frederick county return him to the same seat with renewed marks of favor and approbation. In one of the warmly contested campaigns, when he was opposed by a very influential man, he discovered that the immense assemblages which had collected at Westminster to hear the candidates on the hustings, was somewhat unfavorable to his pretensions, and that he was likely to lose their support. All his arguments seemed to avail but little.— Suddenly he opened his bosom and displayed to their view the scars received at Camden; it operated like an electric shock; he at once wielded the multitude with the same effect as did Anthony when he bid the Romans look on the dead body of Caesar, and by this happy stratagem ensured his election by a triumphant majority. During Mr. Jefferson's administration, Mr. Nelson was chosen Representative to Congress, from the district composed of Frederick, Washington and Allegany counties, and notwithstanding frequent opposition, so great was his popularity that he never lost an election. During all this stormy period of our history, when the unjust decrees of Bonaparte on the one hand, and the British orders in council on the other, were destroying neutral commerce, and depriving us of our natural right to navigate the ocean, Mr. Nelson stood up the bold, uncompromising advocate of all the measures adopted by the Administration to protect our commerce. And when naught but an appeal to the sword would avail, we find him advocating the declaration of war in June, 1812, with all the zeal he had displayed in early life. He believed that all negotiation was fruitless, and he relied on the courage and patriotism of our gallant seamen and soldiers to vindicate our wrongs. The result equalled his expectations. Soon our banner was respected in every sea. Hull, Decatur, Bainbridge and Peary taught Britannia that she did not "rule the waves;" while the plains of Bridgewater and Orleans evinced yet to the world that the fire of the Revolution was not extinct. Before the war closed, however, declining health compelled Mr. Nelson to retire from political life.

1793 he organized a troop of cavalry, and in 1794 was, as its commander, actively engaged in suppressing the insurrection in Pennsylvania during the administration of Washington, and some years afterwards was appointed a Brigadier-General of Militia. He died in May, 1815. Such is an imperfect outline of the public life of Gen. Roger Nelson. That he was a brave soldier and tried patriot, must be conceded by all; that throughout his long and arduous career in the political world, love of country was the first and last wish of his heart cannot be denied.—*Raleigh Register*.

#### Manufacture of Iron in New Jersey.

*Remarks of Mr. Miller, of New Jersey, on the amendment offered by Mr. Buchanan, imposing a duty on Railroad Iron of 20 per cent.*

In Senate United States, August 30, 1841.

Mr. Miller said the State which he had the honor to represent was deeply interested in the result of any question connected with the manufacture of iron. The mineral wealth of New Jersey was equal, if not superior to that of any other State in the Union. Her iron mines, of superior quality and of inexhaustible quantity, are located within about thirty miles of New York, with a water communication connecting them with that city, and also with the great coal fields of Pennsylvania. We are also supplied by nature with convenient water power, abundantly sufficient to drive any number of works which enterprise and capital may be induced to erect for the manufacture of iron. With these advantages we may even venture into a rivalry with the great State of Pennsylvania; and I would forewarn the Senator from that State not to anticipate a monopoly in this business, for I will assure him that as soon as Pennsylvania "is ready to supply the world with iron," she will find New Jersey an active competitor for at least one-half of that market.

One of the difficulties that our iron manufacturers have to contend with was the high price of coal which they were compelled to employ in smelting the ore. Charcoal, heretofore used as the principal agent, is limited by nature in its supply, and is becoming every year more scarce and expensive. The late invention, by which our primitive ores can be smelted by the agency of anthracite coal, has, within the last year, been successfully tested by actual experiments.— This valuable discovery has given a new impetus to the iron business in this country, and men of enterprise and of capital are now turning their attention to it. During the last year several large establishments have been erected in New Jersey, and are now profitably engaged in making iron upon this new and improved method.

I believe that the time has now arrived when we are prepared to make railroad iron for the supply of the home market; and we ask nothing but the ordinary protection to enable us to compete successfully with the foreign manufacturer. It is asked whether any railroad iron has been made in this country? I answer no; \* the reason is obvious.— As long as you admit the English iron free of duty, it operates as a premium in favor of the importer, and secures a monopoly to the foreign producers. They have now the sole power of regulating the market, of advancing or lowering the price as may suit their convenience, or as may be necessary to check American competition.

*Newark Daily Advertiser.*

\* Mr. Miller was probably not apprized that Railroad iron has been made for the use of the collieries, in Schuylkill county, Pa. weighing 25 pounds to the yard, supporting 2 tons burthen and costing about \$2,000 per mile of straight track.

Also T rails, weighing 34 pounds to the yard, to support 3 tons and costing about \$2,700 per mile of single track.— See Vol. IV, p. 411.

#### Premiums on Tobacco.

To induce Tobacco planters to exercise greater skill in preparing and packing their produce for market, we perceive by a circular of Messrs. John & D. Fehrman, Tobacco Factors and Commission Merchants of New Orleans, that they offer premiums on the best hogsheads of such crops as may be shipped to their house for sale next season, of three hundred dollars on the best hogsheads of three different kinds of tobacco, to wit: \$100 for the best bright leafy wrapping, \$100 for the best sweet rich mottled, and \$100 for the best black fat. Competitors are requested to mark "premium" on both ends, with their names and the county and State in which they live. The prize to be adjudged in the second week of July next.



**To the Editors of the National Intelligencer.**

WASHINGTON, Sept. 20, 1841.

Gentlemen—Doubts have been attempted to be cast upon the correctness of Mr. Ewing's statement in relation to the part taken by the President in getting up the Fiscal Corporation Bill, by arguing that there was an impropriety in making it which ought to deprive it of credit. There are circumstances in this case distinguishing it from all others that I recollect of the kind. It grows out of a matter of official business, transacted by high public functionaries, and is of public and general concern. The public and open conduct of one of these high functionaries is in direct opposition to what the other had, by his express direction and authority, affirmed as to his intentions and purposes. There can, I humbly submit, be no serious question in such a case upon the point of personal propriety, when the injured party seeks to vindicate his honor by disclosing the truth. The obligations arising out of confidential relations, in private or public affairs, are founded in mutual trust. He that disregards his own confidential pledges and engagements cannot allege the obligation of confidence, in the same transaction, against the natural right of self-defence belonging to the injured party. For anything that can ever be known to the contrary, it may have been the object of the original pledge or engagement to sacrifice those who trusted and were misled by it. For these reasons, I do not hesitate to furnish for publication, the accompanying statement, which contains all the facts and circumstances within my knowledge, that occur to me as being material, connected with the subject of difference. I do this as an act of justice not only to Mr. Ewing, who requested it, but to myself and the public.

I avail myself of this occasion to say that I have, at no time, regarded a difference of opinion between the President and myself in relation to a bank, however important the subject, as sufficient of itself to justify a resignation of the office which I lately held in the Executive Administration of the Government. Nor was it because the President thought proper to trifle with or mislead his Cabinet, as there is but too much reason to believe he intended to do, in the affair of the last Fiscal Bank Bill, that I resigned my place. There were other, and some of them pre-existing causes, for such a course, which many will regard as sufficient of themselves; and which could not have been overlooked. But it was possible to explain or remove them, and therefore they were not promptly acted upon. The last act of the President, however, was conclusive of the true character of all the other occurrences or circumstances which had previously awakened curiosity or excited distrust.

I shall, at my leisure, state the reasons more at large which impelled me to the course I have thought proper to adopt, and at the same time furnish a narrative of all the causes, so far as they fell under my observation, which have resulted in the separation of Mr. Tyler from the party which brought him into power, and the breaking up of the Whig Administration.

I am, respectfully, your obedient servant,

JOHN BELL.

Messrs. GALES & SEATON.

**Resignation of the Cabinet—Mr. Bell's Letter.**

I called to see the President on official business on the morning (Monday, 15th August,) before the first Veto Message was sent in. I found him reading the Message to the Secretary of the Treasury. He did me the honor to read the material passages to me. Upon reading that part of it which treats of the superior importance and value of the business done by the late Bank of the United States in furnishing exchanges between the different States and sections of the Union, I was so strongly impressed with the idea that he meant to intimate that he would have no objection to a bank which should be restricted to dealing in exchanges, that I interrupted him in the reading, and asked if I was to understand, by what he had just read, that he was prepared to give his assent to a bank in the District of Columbia,

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with offices or agencies in the States, having the privilege, without their assent, to deal in exchanges between them; and in foreign bills. He promptly replied that he thought experience had shown the necessity of such a power in the government. I could not restrain the immediate expression of my gratification upon hearing this avowal. I said to the President at once, that what I had feared would lead to fatal dissensions among our friends, I now regarded as rather fortunate than otherwise, that his veto of the bill then before him would lead to the adoption of a much better one. I also congratulated him upon the happy circumstance of the delay which had taken place in his sending in his Veto Message. The heat and violence which might have been expected if the Veto had been sent in immediately upon the passage of the bill, would now be avoided. Time had been given for cool reflection, and as the Message did not exclude the idea of a bank in some form, no unpleasant consequences would be likely to follow. He expressed his great surprise that there should be so much excitement upon the subject; said that he had had his mind made up on the bill before him from the first, but had delayed his Message that there should be time for the excitement to wear off; that nothing could be more easy than to pass a bill which would answer all necessary purposes; that it could be done in three days. The next day, having occasion to see the President again, he requested me to furnish him with such information as the War Department afforded of the embarrassments attending the transfer and disbursement of the public revenue to distant points on the frontier, in Florida, &c. He at the same time requested me to draw up a brief statement of my views upon the subject, showing the practical advantages and necessity of such a fiscal institution as he had thought of proposing. Such information as I could hastily collect from the heads of the principal disbursing bureaus of the Department I handed to him on the evening of the same day, knowing that time was of the utmost importance in the state in which the question then was. He received the statements I gave him with manifest indifference, and alarmed me by remarking that he began to doubt whether he would give his assent (as I understood him) to any bank.

The next day (Wednesday, 18th August) was the stated time for the weekly meeting of the Cabinet with the President. Mr. Webster, Mr. Ewing, and myself, went at ten o'clock in the morning, and were informed that the President was engaged with Messrs. Berrien, Sergeant, and I think Mr. Dawson, of Georgia. We waited until they retired, and the President made his appearance about three quarters of an hour afterwards. Mr. Badger came in soon after the President joined us. Messrs. Crittenden and Grant did not attend. The conference which ensued was a long one—lasting two hours at least, according to my recollection. I cannot pretend to detail all that was said; neither can I undertake to give the language employed by the President upon every point, nor of the members of the Cabinet. I can only state the substance of what was said upon those points which most attracted my attention.

The President commenced by stating that he had been waited upon that morning by a committee of Members of Congress, who desired to know his views upon the subject of a bank—such a one as he could sanction. He had given them no satisfaction upon that subject, but had informed them that he would first consult with his constitutional advisers—his Cabinet—through whom he thought it most regular that his views should be communicated. He asked the opinion of his Cabinet upon the correctness of the ground he had taken; remarking at the same time that the habit of expressing his views to members of Congress upon subjects of so much interest, subjected him to great embarrassment and much misrepresentation. That question being disposed of, the President adverted briefly, but without much connexion, to the relation in which he stood to the bank question, and his disposition to go as far as he could to comply with the wishes of his friends. He spoke of the relation that existed between him and his Cabinet, and how necessary it was that he should have their support. Would they stand by him? He much preferred that the whole subject should be postponed until the next session; but if it was necessary



to act now, he thought a plan might be devised which, with their co-operation, might be carried through. He wondered why the Senate continued to postpone acting upon his Veto Message, which was yet to be disposed of. He supposed it might be to hold it as a rod over his head; and had some doubts whether it was proper that he should consider further upon the subject until the Senate had decided what they would do with the bill then before them. Some one present assured him that the postponement of the question pending in the Senate was intended to give time for reflection, and to prevent an intemperate debate.

The President then gave the outline of such a bank or fiscal institution as he thought he could sanction. It was to be in the District of Columbia, to have the privilege of issuing its own notes, receive moneys on deposit, and to deal in bills of exchange between the States, and between the United States and foreign States. But he wished to have the opinion of his Cabinet upon it. His own consistency and reputation must be looked to. He considered his Cabinet his friends, who must stand by and defend whatever he did upon the subject. He appealed particularly to Mr. Webster for his opinion upon the point of consistency; and whether there was not a clear distinction between the old Bank of the United States—a *bank of discount and deposit*—and the one he now thought of proposing; and whether the constitutional question was not different. He reminded us that, in all his former speeches and reports, he had taken the ground that Congress had no constitutional power to charter a bank which had the power of local discount. Mr. Webster pointed out the distinction between the two plans in a manner which appeared to be satisfactory to him. The substance of what he said was, as I understood him, as follows: He had a decided preference for a bank upon the plan then proposed over either of those which had been previously spoken of. He reminded the President that he had expressed his preference for a bank which should be restricted in its dealings to bills of exchange, when certain gentlemen from the city of New York were present several weeks before. He then thought, as he did now, that it would answer all useful purposes. One ground of his preference was, and it had great weight with him, that the plan did not contemplate the consent of the States as, in any way or at any time, necessary to its existence or efficiency. He thought the plan proposed at the commencement of the session, generally known as Mr. Ewing's bill, was incongruous and objectionable on this ground. His general course of thinking on such subjects led him to prefer that, whatever power this Government asserted or was authorized to assert, should be exercised independently of State authority, and of the interference of the States. He thought there could be no doubt of the constitutional power to charter such a bank as was then proposed, according to the President's own modes of thinking on that subject, if he understood them. Certainly there was a clear distinction between such a bank and the late Bank of the United States. The one now proposed was to be limited in its operations to such objects as were clearly within some of the general provisions of the Constitution, or such as were clearly necessary in the execution of others. The privilege of issuing its own notes, of dealing in exchanges, and of receiving moneys on deposit, all appeared to have immediate reference to or connexion with the power given in the Constitution over commerce between the States, over the currency, and the necessary fiscal operations of the Government in the collection, safe-keeping and disbursement of the public revenue. These were all subjects of National, and not local or State concern. The distinctions between this plan and the late Bank of the United States lay in this: the privilege enjoyed by the old Bank, of dealing in local paper, or discounting notes having no circulation, as it might be, but between the different streets or commercial points of the same city, had no connexion with the trade or commerce between the States and sections of the Union, nor with the transfer of the public money from one point to another; and it had, therefore, no necessary connexion with any of the great national objects for which the bank was chartered; nor could it be claimed as an incident to any of the powers given to Congress by the Constitution. That

privilege, he apprehended, was conferred upon the late bank from the belief that without it the stock of the bank could not be made profitable; and it was therefore considered as a necessary incident to an institution which was itself but the offspring of an incidental power. Experience, he thought, had shown clearly that such a privilege was no longer important or necessary. By confining the discounting privilege of the proposed bank to bills of exchange between this country and foreign States, and between the several States of the Union, this objection would not lie against it.

The President expressed his regret that he had not used the words "*bank of discount and deposit*" in his late message, so that the distinction he took might be clearly inferred from that message, and he could not then be charged with inconsistency. Mr. Badger said he thought nothing would have been gained by the use of the terms "*bank of discount and deposit*" in his message; for, as to the charge of inconsistency, it might, and probably would, be made against him for party effect, if he sanctioned the bill then proposed by him, inasmuch as dealing in or buying bills of exchange would be *discounting*, and to that extent make it a bank of discount.

When all the material points appeared to be disposed of, and the members of the Cabinet present had expressed their decided approbation of the plan the President had suggested, he said that, after all, he would not sanction a bank in the form just agreed upon, if he supposed that it would be made the groundwork or basis of a bank with all the powers of the late Bank of the United States. He never would give his sanction to the power of local discount. He feared that at the next or succeeding sessions of Congress, the Whigs would be bringing forward amendments engrafting this power upon any charter he might now approve; and he appealed to his Cabinet to know if they would stand by him, and use their influence in preventing any such movements while his Administration lasted. Mr. Webster and others gave him all proper assurances upon this point.

The President thought a capital of fifteen millions of dollars would be sufficient.

A name, he said, was important. What should it be? *Fiscal Institute* would do. It was objected to, and the name *Fiscal Bank* preferred by a member of the Cabinet. He replied that there was a great deal in a name, and he did not wish the word bank to appear in the bill.

The President then inquired if he was understood. He said there must be no misunderstanding of what he proposed to do. Addressing himself to Mr. Ewing, he asked him if he thought he understood his views fully. Mr. Ewing undertook to recapitulate. He understood the President to have no objection to a bank in the District of Columbia, with offices of discount and deposit in the States, with their assent. The President interrupted him abruptly, by saying he did not understand him at all; he was not willing to sanction any such bank. I understood his objection to be to the power of local discount. I supposed Mr. Ewing intended to say that he understood the President had no *constitutional* objections to such a bank. Mr. Ewing, however, without explaining, went on to say, that he now understood the President to have no objection to a bank in the District of Columbia, with the power to issue its own notes, receive money on deposit, with offices or agencies in the States having the privilege, without their assent, of dealing in bills of exchange drawn in one State or Territory and made payable in another State or Territory of the Union, and in bills between the United States and foreign States or Nations.

The President said he was then understood. He requested Mr. Webster particularly to communicate with the gentlemen who had waited upon him that morning and to let them know the conclusions to which they had come. He also requested Mr. Ewing to aid in getting the subject properly before Congress. He requested that they would take care not to commit him by what they said to members of Congress to any intention to dictate to Congress. They might express their confidence and belief that such a bill as had just been agreed upon would receive his sanction; but it should be as matter of inference from his Veto Message and his general views. He thought he might request that

the measure should be put into the hands of some friend of his own upon whom he could rely. Mr. Sergeant was named, and he expressed himself satisfied that he should have charge of it. He also expressed a wish to see the bill before it was presented to the House, if it could be so managed.

I then said, addressing myself to Messrs. Webster and Ewing, that no time was to be lost in communicating with gentlemen of Congress; that there was danger that Mr. Ewing's bill would be taken up and reported to the House immediately after the bill sent back to the Senate with the President's objections was disposed of.

As the members of the Cabinet rose to depart, or just before, the President requested Messrs. Webster and Ewing, as they had turned their attention more particularly to the subject, to furnish him with written arguments upon the points they had been discussing. He wanted them to fortify his own opinion, and to lay up for future reference.

JOHN BELL.

WASHINGTON, September 20, 1841.

#### Navy Pensions.

The Army and Navy Chronicle states that the second section of an act, passed at the late session of Congress, "to provide for the payment of navy pensions," make a material alteration in the naval pension system. The section being susceptible of different interpretations, it was referred to the Secretary of the Navy, for his decision, which was given on the 20th of August. As it is a question of much interest to all in the navy, we have procured a copy of Mr. Badger's decision for publication.

An officer on duty can hereafter receive no pension money; and when off duty can receive only so much as will make his whole income from the United States equivalent to the lowest rate of duty pay.

NAVY DEPARTMENT, }  
August 20, 1841. }

Sir—Your letter of the 19th inst. has been received. The second section of the act of Congress to which you have called my attention, is very obscurely worded; and I am by no means sure that I have been able to collect its true meaning.

The phrase "in service" seems to have been used instead of, and as equivalent to, "on duty;" for in any other sense the whole section becomes unmeaning, as every officer, while he continues to belong to the navy, is in the service, though he may not be on duty. Giving this sense to the phrase, I am of opinion,

First, That no officer can receive, at the same time, pay as an officer on duty, and as a pensioner; and

Secondly, The officers who may be "waiting orders," or "on leave," or "furlough," can receive only so much on account of their pensions as, added to their pay when so "on leave," &c., will amount to the pay of their grade when "on duty."

When, by the act of Congress of 1835, regulating the pay of the navy, officers are entitled to a higher rate of compensation when employed in a certain specified manner than when engaged in other duty, the rate of compensation of the latter is that which is referred to in this act, and is not to be exceeded by the aggregate of the pension and the pay while "waiting orders," &c. For instance:

A commander is entitled when attached to vessels for sea service, to \$2,500 per annum, and on other duty, to \$2,100. I am of opinion that such commander, when off duty, cannot receive more, including his pension, than \$2,100 per annum; and so of every other grade.

The case of seamen and marines seems to present peculiar difficulties, and I regret the hard consequences to them of the decision I have been compelled to form. They cannot, when in service, receive more than their pay, because there is no discrimination by law between their compensation when on duty and when unemployed. Hence it seems to follow that no seaman or marine, while in service and receiving pay, can receive any payment at all on account of a pension.

I am of opinion that all pensioners are entitled to be paid

up to the passage of the law; that is to say, up to the 16th instant, just as they would have been paid, had the act never been passed.

I am, respectfully, your obedient servant,

GEO. E. BADGER.

J. L. EDWARDS, Esq., Commissioner of Pensions.

[*Baltimore American.*]

#### Treasury Notes.

Treasury Department, }  
October 2, 1841. }

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840,

\$26,681,337 50

Redeemed of those issues ..... 24,962,925 61

Leaving outstanding the sum of..... \$1,778,411 89

Issued under the act of Feb. 1841, viz.

Prior to March 4 ..... \$673,681 32

Since March 4.....5,273,251 58

5,946,932 90

Redeemed of that issue ..... 352,320 39

Leaving outstanding, ..... 5,594,612 51

Aggregate outstanding on the 1st instant... \$7,373,024 40

W. FORWARD,  
Secretary of the Treasury.

#### FRESHET.

We notice by our exchange papers in various parts of the State, that the recent severe rains on the seaboard extended with equal or greater force into the up country. At Columbus, we learn from the Enquirer, that the heavy fall of rain caused a sudden rise in the water courses in that vicinity, and several bridges and mill-dams were swept away.

At Forsyth, according to the Bantling, it rained from Wednesday night to Thursday afternoon, without a moment's intermission. All the water courses, as far as heard from, were swollen to an unusual height, and nearly all the bridges carried away.

At Washington, (Wilkes county,) the News says, the storm was more violent than ever experienced in that section. Great damage has been done to property on the streams, which rose two or three feet higher than was ever known before. Bridges were carried away in every direction, and scarcely a mill in the county is left uninjured. Great injury has also resulted to the crops. The fields upon the streams have been swept of whatever grew upon them, and the cotton which was open has everywhere been so much injured as to be worthless.

From the Macon Messenger we learn that the water rose in the Ocmulgee, within about 18 inches as high as it did at the great freshet in March last. Several bridges on the large creeks are carried off, and much fencing washed away. Much damage was done to the corn and cotton on the river lands, and in some cases, individuals have lost almost their entire crops.

Add to these, the accounts we have already published of the freshet in the Savannah river and at the south, and some idea may be formed of the extent of the damage done to the crops, &c.

We are happy to perceive that none of the railroads have sustained any damage, if we except the Georgia road, which was slightly injured, causing a serious accident, by which one of the passengers was killed and considerable damage done to the locomotives.

The present makes three freshets which have occurred in our rivers within sixteen months—all of them severe and doing an immense amount of damage.

Since the quarter of the Moon on the 21st instant, the wind here has been steady from south-west to north-west, with clear sky and pure atmosphere, and rather cool. Most excellent weather for the maturing and gathering of cotton, and rice, and which will in some sort compensate for the storms of the two weeks previous.—*Savannah Rep.*

### Steam Navigation of the Mediterranean.

The reader will find some interesting facts and observations in the communication which we publish this morning, on steam navigation in the Mediterranean, from the pen of an observant and intelligent officer of the Navy.

[*Baltimore American.*]

There is no subject that an American can contemplate with more pleasure, than the application of steam to navigation with its almost immediate introduction upon our extensive bays, rivers and lakes, and to its influence must be attributed in a great degree the matchless growth of our country, the rapid development of its inexhaustible resources, and which has planted villages, town and cities in the midst of forests and prairies.

With an indescribable superiority on the part of our rivers and bay steamers, it is much to be regretted, that in the construction of steamers, for the navigation of the ocean, we are as far behind other nations, as we are in advance of them in the class of vessels just spoken of.

The arrival in our waters of the magnificent steam ships which have for three years traversed the broad Atlantic through every season of storm and tempest, affords ample testimony of the perfection and strength attained by ships and machinery constructed in Europe, whereas the steamers heretofore built in this country, for *sea service*, have, until very recently, been entire failures. Many years spent at sea had strongly prejudiced us in favor of ships propelled by sails, but a passage across the Atlantic in the Great Western fully convinced us of the security and superiority of these vessels over all others, and the long lines of steam ships (not boats) which we found in every port of importance in Great Britain and the Continent, afforded abundant proof of their universal introduction and superiority.

The arrival and departure of these ocean steamers, is more regular than those upon our western waters, notwithstanding the violence of the tides and tempests, and the dangerous navigation of the coast of Europe, and they at this time monopolize the mails, the travel, and much of the commerce of these seas.

It is however upon the *Steam Navigation of the Mediterranean*, and the importance of *steam ships of war*, that we feel desirous to communicate a few facts which have recently come under our own observation, in the hope, that they may fall into the hands of those, who are able to turn them to advantage as a means of defence to our country and to our commerce, both at home and abroad.

The first steamers passed upon the waters of the Mediterranean in 1832, and were then only experimental. In 1834 they first coasted down the coast of Italy and Greece, and so well were they found to answer in the navigation of those seas, whether in the calms of summer, or in the dreadful gales of winter, which prevail in the Gulf of Lyons, the Adriatic and the Archipelago—that every nation upon its northern shores, and even the semi-civilized native Governments of Turkey and Egypt, rushed to the contest, to see which should be the first to avail themselves of this invaluable discovery, and traverse at all times, seas with safety, which were at all times hazardous and during the winter months, frequently impassable.

The result has been such as might have been anticipated; Spain, France, the States of Italy, Austria, Greece, Turkey and Egypt, all have their steamers which traverse this extensive sea with a rapidity and safety heretofore unknown. This bold and energetic commencement has not been carried beyond the wants of travel or trade; on the contrary, it is still far behind the actual wants of the people, and such has been the increase of travel, by the abolition of early prejudice, that there can be no estimate where it will stop.

The steam navigation of the Mediterranean so far has been remarkably successful—no vessel has burst a boiler, or has been lost by fire, striking facts in proof of their excellent management.

The British line of steamers consists of the best class of vessels, and is connected by lines from Lisbon, Gibraltar, Malta and Syria, with their India possessions. The route via the Red Sea is about being abandoned, and the ancient

over-land route of Solomon via Bairout, Damascus and Palmyra, or the city of the Desert, is again re-established. Col. Chesney has transported four steamers to the Euphrates on the backs of camels; and England is about to reap the advantage of the restoration of Syria to the Sultan in being brought 400 miles nearer to her vast India possessions. So near as we could ascertain by careful inquiries the French have 35, the Austrians 22, Sardinia 18, Naples 7, Tuscany 5, Spain 9, Greece 4, Turkey 18, Egypt 5, Russia on the Black Sea 10, with an average of 16 belonging to Great Britain; making a grand total of 149 steam ships, navigating the sea with security and regularity at all seasons of the year.

These ships are all commanded by *Naval Officers* and are all under the immediate direction of their respective governments; although much of the stock belongs to individuals, they are steam *ships* and not steam *boats* as with us, they have the hulls and models of good, seaworthy, weatherly vessels, and are rigged with courses and topsails. Mr. Roddes, the celebrated American naval architect has built one steamer for the Sultan, the Tahri Bahri and she has much the model of our beautiful North River boats, but unfortunately, as a sea boat, she does not answer, in a calm she is uneasy, and in a sea she is unsafe; we saw her last autumn in the harbor of Smyrna, with Col. Hodges the English Consul at Alexandria, on board, who was carrying the colors of Ibrahim Pascha to the Sultan, with 125 officers prisoners of war; and for this service she was selected in consequence of her speed; yet she was said by all to be unsafe in bad weather, and that she would be laid up for the winter.

These lines of steamers visit every port of importance in the Mediterranean, leaving Marseilles, Genoa, Leghorn, Naples, Trieste, Athens, Constantinople, Smyrna and Algiers weekly, and Gibraltar, Malta, Alexandria and Syria semi-monthly and carry three classes of passengers, viz., after cabin, forward cabin and deck passengers—the steward furnishes meals from a *carte*, served in a most excellent manner, agreeable to the palate or purse of the traveller, a practice, if adopted, that would contribute much to the comforts and pleasures of travelling in our own country.

Regular lines of steamers ply throughout the year on the Black Sea to the mouths of the Danube, which commands the trade of Austria and Hungary; to Odessa, where an active commerce with the interior of Russia is carried on, and to Trebizond through which port the trade of Georgia, Circassia and the Circassian countries passes. Upon the introduction of steamers in these seas the prejudices to them was very great, and the Turks who bring their wives and harems on board, still bring them in sacks, with a small aperture to breath through, but their faces are carefully concealed. We were informed by Capt. Ford, the most experienced navigator of the Black Sea, that the winter is more terrific than in the North Sea.

We have heretofore only spoken of steamers for convenience of travel, and their safety at sea during the most inclement weather, and in the most boisterous seas; we will now examine into the services they have rendered as ships of war, and their probable capability of proving serviceable as means of National defence; a subject of vital importance at this time in consequence of our delicate position with the most formidable of all maritime powers.

At the time of the French Expedition against Algiers in 1830, the greatest maritime expedition of this age, steamers were not yet introduced, but since 1835 all the troops, stores and munitions of war have been transported to that Colony by means of steamers; and during the last summer, at a period of sickness and scarcity, the Colony would probably have been annihilated by that indomitable chief, Abd-el-Kader, had it not been for the timely assistance afforded by steamers.

Last summer the port of Naples was placed under blockade by a British Fleet, and reprisals were made for two days only; during which time, a single steamer, captured 24 Neapolitan vessels; and the difficulties so far arranged, that a sanguinary war was doubtless prevented. We were informed by an eye witness of the blockade, that these 24 vessels

were captured without the firing of a single gun, and in the language of our informant the steamer ran about the bay picking up her prizes as a hen picking up corn. It is needless to say how much chasing and forcing it would have cost to capture the same vessels under sail, and the probable loss of human life.

The Blockade of the coast of Syria by the allied powers, and the almost simultaneous capture of Bairout, Saide, Tripoli and St. Jean de Acre, in the very face of the Army of Ibrahim Pacha, with his subsequent defeat, and the demonstrations upon Alexandria itself, at a season of the year when in the words of Mohammed Ali "he would at least be safe until spring," exhibits in bold relief, the vast superiority of this new mode of war over all others. That old and veteran sailor, Admiral Stopford, says in his report to the admiralty "that his success was owing to the efficiency of his steamers."

His squadron consisted of 7 ships of the line, 2 three deckers and 14 steamers; large bodies of troops were landed at the very time and place that their services were required—the heavy ships were moved against wind and tide, and these strongly fortified posts were captured before the world was aware that war had been declared. During the winter the fleet kept in port, while the steamers, keeping the sea, were able in a few hours to convey intelligence to any point that might be desired.

The day previous to the attack upon Bairout, the Stromboli steam frigate, arrived in 15 days from Portsmouth and landed 450 men, who on the 14th day from the dock yards of Great Britain, were engaged in battle in Asia Minor, 2000 miles from home, without being reduced by sickness or the privations incident to a long voyage. These important facts should be remembered by us; immediate steps should be taken to prevent similar attacks, and measures taken "by which we would be enabled to carry the war into the heart of the enemies country," by the same means.

Separated, as we are, from all other powers with whom we may be brought into collision by an immense sea, our most effectual defence must be upon the water, and our strength must be applied through the agency of steam. Its introduction has exterminated every vestige of piracy in the Archipelago, and will doubtless do so in every part of the world, and the present war in China appears to be conducted by its agency.

Two steam frigates, one to cruize among the Islands of the West Indies, and the other in the Gulf of Mexico, would effectually protect those entire seas, and one large steam frigate in the Mediterranean would display our flag in more ports, would afford greater protection to our citizens and to our commerce, than any three vessels that we could send there. A line of battle ship will seldom visit more than six ports during a summer's cruise, and during all the winter she is laid up in port; a steamer will be able to visit as many ports within a month, and will pass from port to port throughout the year.

Experience teaches us that these steamers can be built better in private dock yards than in our Navy Yards, and the port of Baltimore, so justly celebrated for its excellent models of marine architecture, could doubtless furnish many vessels that would add to her reputation; and we sincerely trust that our National Legislature and those at the head of the Navy Department, will, without delay, adopt such measure as will secure to our country:

- 1st. Serviceable and seaworthy steam ships and frigates.
- 2d. That they be employed as cruisers upon our coast and all our naval stations.

F.

#### Death of Governor Cannon.

Our distinguished fellow-citizen and friend, NEWTON CANNON, is no more! His earthly existence was terminated by the fell disease with which he was suddenly attacked on the 8th instant, at seven o'clock last evening.

Gov. Cannon was about 60 years of age, and a native of North Carolina. He emigrated to this State at an early period, and settled in Williamson county, where he resided until he was elected Governor, when he removed to Nashville.

At the commencement of the late war—feeling the ardor of patriotism which burned in the hearts of his western brethren—he raised a volunteer regiment, and in 1813 entered the Creek War, where he participated in the battles of Tallashatchie and Talladega. After the war was over he represented the district in which he lived in Congress, for a number of years, and in 1835, was elected Governor of Tennessee. In all the stations in which he has been placed, as a private citizen upon his farm, a soldier, a member of Congress, and Governor of Tennessee—Governor Cannon has shown himself the man of worth and honor—and was emphatically in all situations, "An honest man."

The death of Gov. C. was announced this morning in the United States Court and in the Circuit Court of the State, both now sitting in this city; in the former by R. J. Meigs, Esq. and in the latter by Thomas Washington, Esq. both pronouncing brief eulogiums on the virtues of the deceased, and an adjournment was ordered for the day in testimony of their high respect.

His mortal remains were conveyed this morning to his late country residence in Williamson county, where the interment will take place.

[*Republican Banner of Sept. 17.*]

To the Hon. S. R. Hobbie,  
Acting Postmaster General.

Sir—Information having been received in a form entitled to attention, that the Postmaster at ———, Pennsylvania, and ———, Ohio, have so far violated the obligations which they impliedly assumed on taking office under my Administration, of abstaining from any active partisanship, or in any way connecting their offices with party politics, or using them for party purposes, I have to request that inquiries shall be instantly instituted into their conduct, and that if the charges against them be found to be true, they be immediately turned out of office, and citizens appointed in their places who will otherwise conduct themselves. The Post-Office Department, in all its operations, should be conducted for the single purpose of accomplishing the important objects for which it was established. It should in an especial manner, so far as is practicable, be disconnected from party politics. It was established for specified purposes of equal importance to every citizen. To convert it into an engine of party, to be used for party purposes, is to make it the fruitful source of the most alarming evils. Ramified as it is, and extended to every neighborhood, the purity of its administration, and necessarily of its agents, should be particularly guarded. For a Deputy Postmaster to use his franking privilege (a privilege bestowed upon him for the sole purpose of exonerating him from oppressive charges in the necessary correspondence of his office) in scattering over the country pamphlets, newspapers, and proceedings to influence elections, is to outrage all propriety, and must not for a day be tolerated. Let this be left to the politicians. I should be happy if one or two examples shall be found sufficient to correct an evil which has so extensively prevailed.

I will take this occasion, also, to add for your instruction, that the appointment to, and continuance in the office of postmaster of any one editing a political newspaper is in the highest degree objectionable. It involves most of the consequences above stated—introduces politics into the post-office—diminishes the revenue—and confers privileges on one editor which all cannot enjoy. In a word, it is my fixed purpose, as far as in me lies, to separate the Post-Office Department from politics, and bring about that reform which the country has so loudly demanded.

JOHN TYLER.

WASHINGTON, September 28, 1841.

#### Albany and Schenectady Stages.

Sixteen hundred and ninety-eight passengers were carried over between this city and Schenectady, by the Stages during the first seven days after they commenced operations! This is not a bad beginning. An average loss to the Railroad of 242 passengers daily, will make a sad deficit in their dividends.—*Albany Evening Journal.*



Census of the United States, 1840.

We have received from Washington an epitome of the Census of the United States. For want of room, the insertion of the tables must be deferred till next number—for the present, we insert the following summary. Unwilling to make statements founded upon the incorrect returns of the marshals, various calculations which have appeared in the newspapers from time to time, based upon them, have not been inserted. Having now the corrected returns, in our future numbers, we shall proceed to make our own calculations from them so far as respects the population—the returns of the products of the States not yet being completed.

EPITOME

Of the whole population of the States and Territories of the United States, exhibiting the general aggregate amount of each description of persons by classes.

FREE WHITE PERSONS.		
Males.		
Under five years of age	-	1,270,790
Of five and under ten	-	1,024,072
Of ten and under fifteen	-	879,499
Of fifteen and under twenty	-	756,022
Of twenty and under thirty	-	1,322,440
Of thirty and under forty	-	866,431
Of forty and under fifty	-	536,568
Of fifty and under sixty	-	314,505
Of sixty and under seventy	-	174,226
Of seventy and under eighty	-	80,951
Of eighty and under ninety	-	21,679
Of ninety and under one hundred	-	2,507
Of one hundred and upwards	-	476
		7,349,266
Females.		
Under five years of age	-	1,203,349
Of five and under ten	-	986,921
Of ten and under fifteen	-	836,588
Of fifteen and under twenty	-	792,168
Of twenty and under thirty	-	1,253,395
Of thirty and under forty	-	779,097
Of forty and under fifty	-	502,143
Of fifty and under sixty	-	304,810
Of sixty and under seventy	-	173,299
Of seventy and under eighty	-	80,562
Of eighty and under ninety	-	23,964
Of ninety and under one hundred	-	3,231
Of one hundred and upwards	-	315
		6,939,842
Total number of free white persons	-	14,189,108

FREE COLORED PERSONS.		
Males.		
Under ten years of age	-	56,323
Of ten and under twenty-four	-	52,799
Of twenty-four and under thirty-six	-	35,308
Of thirty-six and under fifty-five	-	28,258
Of fifty-five and under one hundred	-	13,493
Of one hundred and upwards	-	286
		186,467
Females.		
Under ten years of age	-	55,069
Of ten and under twenty-four	-	56,562
Of twenty-four and under thirty-six	-	41,673
Of thirty-six and under fifty-five	-	30,385
Of fifty-five and under one hundred	-	15,728
Of one hundred and upwards	-	361
		199,778
Total number of free colored persons	-	386,245

SLAVES.		
Males.		
Under ten years of age	-	422,599
Of ten and under twenty-four	-	391,131
Of twenty-four and under thirty-six	-	235,373
Of thirty-six and under fifty-five	-	145,264
Of fifty-five and under one hundred	-	51,288
Of one hundred and upwards	-	753
		1,246,408
Females.		
Under ten years of age	-	421,470
Of ten and under twenty-four	-	390,075
Of twenty-four and under thirty-six	-	259,787
Of thirty-six and under fifty-five	-	139,201
Of fifty-five and under one hundred	-	49,692
Of one hundred and upwards	-	580
		1,240,805
Total number of slaves	-	2,487,213
* Total aggregate	-	17,062,566
White persons included in the foregoing, who are deaf and dumb, under fourteen years of age	-	1,919
White persons included in the foregoing, who are deaf and dumb, of fourteen and under twenty-five	-	2,056
White persons included in the foregoing, who are deaf and dumb over twenty-five	-	2,707
White persons included in the foregoing, who are blind	-	5,024
White persons included in the foregoing who are insane and idiots at public charge	-	4,329
White persons included in the foregoing, who are insane and idiots at private charge	-	10,179
Total number of persons employed in mining	-	15,203
Total number of persons employed in agriculture	-	3,717,756
Total number of persons employed in commerce	-	117,575
Total number of persons employed in manufactures and trades	-	791,545
Total number of persons employed in navigation of the ocean	-	56,025
Total number of persons employed in navigation of canals, lakes, and rivers	-	33,067
Total number of persons employed in learned professions	-	65,236
Slaves and colored persons included in the foregoing, who are deaf and dumb	-	977
Slaves and colored persons included in the foregoing, who are blind	-	1,892
Slaves and colored persons included in the foregoing, who are insane and idiots at private charge	-	2,093
Slaves and colored persons included in the foregoing, who are insane and idiots at public charge	-	833
Total number of pensioners for revolutionary or military services	-	20,797
Total number of universities or colleges	-	173
Total number of students in universities or colleges	-	16,253
Total number of academies and grammar schools	-	3,242
Total number of students in academies and grammar schools	-	164,159
Total number of primary and common schools	-	47,209
Total number of scholars in common schools	-	1,845,244
Total number of scholars at public charge	-	462,264
Total number of white persons over twenty years of age who cannot read and write	-	519,693

\* Total number of persons on board of vessels of war in the United States naval service, June 1, 1840, 6,100, making the total aggregate of the population of the United States 17,068,666.



**Prince De Joinville.**

The Prince De Joinville arrived in the city of Philadelphia on Monday last, 27th ult., and was warmly greeted by a number of citizens. The Prince was welcomed at the landing by Charles Picot, Esq., acting French Consul, and two members of the committee appointed to represent the French citizens of Philadelphia. These gentlemen accompanied him to his lodgings at Jones' Hotel, on foot—the Prince declining the offer of a carriage. At four o'clock, the French citizens assembled, in pursuance of a previous call, at the residence of the French Consul, and headed by that gentleman, repaired to the Prince's lodgings, for the purpose of paying their respects. At five o'clock, a committee of the city councils, headed by the Mayor of the city, proceeded to the lodgings of the Prince, and were received at the door of his room by a committee, conducted into his presence, and then were severally introduced by Mr. Picot, the French Consul. The Mayor then welcomed the Prince to Philadelphia, in the name of the Corporation, and tendered him the hospitalities of the city. Allusion was made to the connexion of France with the early struggle for our Independence, and the debt of gratitude thence due to her. Philadelphia was always happy to receive a native of France, and especially a son of Louis Phillippe, a King who had distinguished himself by condescension and favors to Americans, and won their hearty gratitude. The Prince replied in a few words expressive of his appreciation of the civilities of the city authorities, and his gratitude for the honor done to his father. He was under orders as an officer, and was compelled to leave the city before he could enjoy any of those hospitalities proposed to him.

On Tuesday morning he visited the Navy Yard at Philadelphia, escorted by a Committee of the City Councils and a number of citizens, and was received with naval honors.

On Tuesday afternoon the Prince left Philadelphia for Washington, when, after an interview with the President, he will go to Norfolk on a visit to Admiral Arnous Dessauliers, of the French squadron now in that harbor. Thence it is said he intends to proceed *via* Philadelphia to Pittsburg, on his tour to the Rocky Mountains *via* St. Louis; thence he proposes to return north, and ascend the Mississippi through the Wisconsin Territory to Lake Superior, taking the Lakes Huron, Michigan, Erie and Ontario on his way back to Boston, Albany and New York.

*U. S. Gaz.*

**The Prince De Joinville at Washington.**

The Prince de Joinville arrived at Washington on Wednesday.

The Madisonian says the President received him on Wednesday at 2 o'clock.

On Thursday he visited the Navy Yard in the President's carriage, conducted by Mr. John Tyler, jr., and Commodore Nicholson, and was received with a complimentary salute of twenty-one guns. At six o'clock he dined with the President in a large party, composed of the Corps Diplomatique, the members of the Cabinet now in this city, Lord Prudhoe, brother of the Duke of Northumberland, and Sir Henry Hart, both of the Royal Navy, and many distinguished officers of our own Army and Navy.

In the evening, several hundred invitations having been sent out, a very numerous assemblage of citizens of all parties were collected at the President's house, for whose reception all the apartments were thrown open.

A band of music from the Navy Yard was in waiting, and immediately after dinner struck up the National air of "Hail Columbia," followed by the "Parisienne," and continued to play throughout the evening, which closed with some dancing.

We are gratified to be able to state that the whole entertainment was exceedingly brilliant and agreeable, and altogether worthy of what was in some sort, an act of national hospitality.

**Taylor's Submarine Armor.**

A large party of gentlemen assembled yesterday, on the invitation of the Committee of the Mechanics' Association on New Inventions, to witness an experiment by Captain Taylor, with his submarine armor. The armor consists of a dress of India rubber cloth, supported by ribs and hoops of copper ingeniously arranged so as to resist the immense pressure of the water, when lowered to any depth. A helmet or head piece of metal covers the head and shoulders of the diver, if we may call him so, and to this the other parts of the armor are carefully screwed. This helmet is large enough to contain a considerable supply of air, which is constantly renewed by means of a forcing pump at the surface of the water, connected with a long India rubber tube, the other end of which is attached to the helmet. A lantern forms a part of the apparatus, the light in which is supplied with the air which passes out from the helmet to make way for the constant fresh supply.

After Captain Taylor had dressed himself in the armor, the weight of which when in the air is very considerable, he was swung off by a whip attached to the main yard of the Columbus, and lowered to the surface of the water, where a boat was provided, in which were the forcing pump and assistants. Some delay ensued here before the experiment could begin, but it was of such a nature as to show the safety of the apparatus, arising simply from a deficiency in the quantity of the weights provided to sink the diver, for without some ballast the machine floats with its head out of water.

Additional weights having been procured, Captain Taylor was lowered under water again, and remained for some minutes, examining the ship's bottom, and sinking to a considerable depth. The helmet which covers his head is provided with a glass window, so that he can make accurate observations of anything at whatever depth, provided he has a light in his lantern. Yesterday, by a slight defect in the apparatus, the lantern was not fully supplied with air, so that Capt. T. was not able to carry a light with him. When near the ship, however, he had sufficient light to inspect her bottom, from which he brought up some curious specimens of sea weed. After some minutes spent under water he was again hauled up, and his armor or shell was taken off. The apparatus when above the surface appears unwieldly, but the greater buoyancy of the water, renders it, we understand, easily manageable when it is sunk. Should any difficulty occur in the management of the ropes or breathing apparatus, Capt. T. by throwing off his ballast would at once rise to the surface.

The experiment was interesting as showing how far and for what purposes this machine may prove useful. Capt. Taylor deserves credit for his ingenuity in its management. An opportunity was also given by this trial, for the gentlemen who were present to examine the arrangements and accommodations of the Columbus, which, by the attention of her officers, was made very agreeable, and very gladly improved. Besides the crew of the vessel, there are now on board of her two hundred of the Naval apprentices, who are receiving an education which will make them thorough seamen. The manœuvres and appearance of these boys form a very interesting feature in the internal arrangements of the vessel.—*Boston Daily Advertiser.*

**Silver Ore.**

We saw exhibited at the Merchants Exchange, to-day, a large mass of this metal, weighing near 1200 ounces, the produce of the Washington mine, in Davidson county, North Carolina. This is the third specimen exhibited; the quality is about 990-1000, with an addition of 10-1000, of gold. The ores of lead and silver are, we understand, very abundant, the veins having been proved from the depth of 160 feet up to the surface. The mine is worked by an incorporated company, of which Wm. Blackburn, Esq. of Philadelphia, is the president. The cake we saw is from the refinery of George Greenfield, Brooklyn.

**The Historical Society of Pennsylvania.**

Mr. James S. Farmer of this city, presented to The Historical Society of Pennsylvania at the last meeting of its Council, a medal struck by the British Government on the occasion of the evacuation of Rhode Island by the Americans and distributed among the Dutch sailors in the English fleet.

On one side is the plot of an island which is *presumed* to be that of Rhode Island. Here is perceived a score of men with guns on their shoulders traversing at a pace much exceeding double quick the Island from West to East. The height of each figure is about one-sixth of that of the whole Island. On the right are nine full and four empty boats.— On the left are three ships of war, Legend, \* D'vlugtende, Americaanen van Rohde Yland, Aug. 1778. On the exercise are two palm boughs crossed at their lower extremities.

On the reverse is a double decker with the English ensign displayed. Legend, † De admiraals flag, van Admiraal Howe, 1779.

This curious relie is in brass, 2 inches and two-tenths in diameter and is utterly without merit as a work of art. It is pierced with a hole in the centre and was thus by means of a ribbon attached to the jacket of the *matelot decorie*.

The Historical Society of Pennsylvania has existed for several years and has published several volumes of transactions, which contain numerous papers in relation to the early history of this State, which are interesting to our citizens. Its President is the venerable and learned P. S. Duponceau, Esq.— as its object is to collect and preserve memorials of by-gone days—the Society will gladly receive donations of original letters and other documents as well as books, connected with the early history of this State.

\* The flight of the Americans from Rhode Island, August, 1778.

† The flag-ships of Admiral Howe, 1779.

**Facts Relative to Arkansas Bonds.**

An inquiry has been made through one of the city papers for particular information relative to the value of Arkansas Bonds; a few facts will enable us to judge of their value.— Arkansas owes no debt for any purpose, but bank capital. Her bank capital is all sound and available.

The bonds are drawn payable to the order of the banks, and the banks pay the interest regularly, and are legally liable for both principal and interest.

The Real Estate Bank of Arkansas has a capital of one million five hundred thousand dollars. The stock is secured by bonds and mortgages on the improved property of the citizens to the amount of *three millions*.

These three millions of bonds and mortgages were transferred to the State as security for the one million five hundred thousand dollars of bonds bearing an interest of six per cent. By the terms of the charter no dividend can be made to stockholders until these bonds, principal and interest, are paid.

The security for these bonds is three-fold:

- 1st. The State is pledged, and owes no other debts.
- 2d. The bank capital and all its earnings.
- 3d. Three millions of bonds and mortgages on the best productive lands of the State.

Besides the *faith* of the State, which is the only security upon which other State bonds rest, these bonds offer two *legal* remedies: One against the bank capital, and the other against the three millions bonds and mortgages held by the State in trust for this purpose.—*Times & Star*.

**Banks of New Orleans.**

The following is a statement of the condition of the New Orleans Banks, on the 31st ult.

Names of Banks.	Cash Liabilities.	Cash Assets.	Per Ct'ge.
Canal.....	929,487	317,176	35
Carrollton.....	309,958	142,395	46
Citizens.....	3,144,744	1,692,446	54
City.....	1,259,446	409,308	33
Commercial.....	961,835	688,817	72
Consolidated.....	1,101,436	451,237	41
Exchange.....	700,586	221,433	32
Improvement.....	1,077,067	276,978	26
Louisiana.....	726,700	741,796	102
Louisiana State.....	1,131,993	399,390	35
Mechanics' & Traders'	622,421	276,677	45
Orleans.....	374,845	170,292	46
Union.....	1,631,088	1,074,302	66
Atchafalaya.....	493,458	149,248	30

Circulation per last monthly statement, 31st July, 1841.....\$5,407,744

Specie in the vaults.....2,912,654

Equal to 54 per cent.

Circulation per above monthly statement, 4th September, 1841.....4,870,784

Specie in vaults.....3,067,348

Equal to 63 per cent.

Decrease of circulation during the last month .. 536,960

Decrease of deposits.....338,384

Increase of specie.....154,691

The Banks have therefore decreased their responsibilities during the month.....875,344

And increased their specie.....154,694


Making together.....\$1,030,038

[*Boston Semi-Weekly Advertiser.*]

**Rev. Ezra Ripley, of Concord, Mass.**

This venerable Divine, whose death was announced in yesterday's Journal of Commerce, was the seventh Minister of the first church in that town. Concord was settled in 1635. Dr. Ripley was ordained in 1778. He was a settled Minister in that ancient town for 63 years. In 1828, he preached his half century sermon, which he sent me, and I have it now before me. I extract the following passages:

"Grey hairs are upon those who were infants when the speaker first settled here. When I cast my eyes over the assembly that stately worships here, I see not only many new faces, but a new face on the whole. Here and there only is a countenance which I beheld fifty years ago. Full well do I remember the white locks that adorned the long seats which here stretched before me. Now the heads that are white and grey were then on the shoulders of children. But it is time, my brethren, to inquire how you have heard and received and obeyed the Gospel that has been so long preached to you. Some of the congregation have heard me fifty years. Not less than 2500 sermons have been written and delivered by your pastor, and many of them repeated and not a few re-written. How have the aged improved under this long course of religious instruction? Many of this assembly have been baptized, catechized, and instructed by the speaker, for whom he has cherished affectionate concern and earnest desires that they might be truly religious and for ever happy."—*Jour. of Com.*

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

VOL. V. PHILADELPHIA, WEDNESDAY, OCTOBER 13, 1841. No. 15.

## Trade and Defence of the Lakes.

### *Petition for an armed vessel on Lake Erie.*

The following is a copy of the petition on this subject, acted on by our Common Council, at their late meeting.

BUFFALO, Sept. 24th, 1841.

Hon. Abel P. Upshur, Sec'y of the Navy.

Sir:—Information received through an authentic channel, “that there is an opinion entertained by the administration at Washington, that there is no call for the execution of the law of the extra session of Congress, appropriating \$100,000 for the construction of a steam vessel of war on Lake Erie,” has caused much alarm and regret in the public mind, and is our apology for addressing you, and through you, the President.

It is our opinion, (and we submit it with all proper deference,) that the condition of our foreign relations, our frontier defence, and the forces of Great Britain at our doors, call for an immediate and vigorous execution of that law; and to these several points we beg to call the attention of the Executive Department.

*First.*—As to the present existing and immediately available naval and military forces on these lakes, and against which at least one armed steamboat is called for by the public safety; Great Britain has now in commission two steam vessels of war, the Toronto and the Minos, now lying in the Niagara river. The Toronto is over 400 tons burthen, carrying fourteen guns of large calibre, and the Minos is of about 450 tons, and carrying the same number of very heavy guns. Both are full manned and armed in all respects as vessels of war. This is of itself a powerful force, and in the face of any opposition that could now be made on the lakes, could take a position off Buffalo, Cleveland, Detroit, or any other city or town on Lake Erie, or the upper lakes, and destroy them at their convenience; and they would be equally efficient in preventing the construction of any armed vessels by our government after hostilities should have commenced. Besides these, are commercial vessels, owned by citizens of Canada, to the amount of several thousands of tons, that could in a very short time be armed under the protection of the guns of their fortifications, and concentrated on these lakes.

It will doubtless be replied, that we have on these lakes a vastly superior force of commercial craft, numerous large steamboats and hundreds of sail vessels, which could be armed and manned, and thus constitute a greatly superior force. It is admitted that we now have the craft. But it is denied that, war being commenced, we could arm or man any of them. Look at our condition. If a war should commence to-morrow, there is not a harbor on any of these lakes where these vessels would not be entirely at the mercy of these two war steamers; nor is there a fortification on any of these lakes so furnished with artillery or men, as to be able to hold out for an hour against the Minos. How insane, then, to think that our superior commercial marine would, under such circumstances, be of any service to us. On the other hand, they would be so many vessels, and good ones too, built to the hand of our enemy, who could capture them without hazard, and arm and man them in security, under the guns of their numerous fortifications. The expenditure now of a few thousands of dollars would convert this apparent, but deceptive, into a real naval superiority on these lakes—than

which nothing is more important to the whole country, in event of a war with that power. Let us be once stripped of the means of control of these lakes, and millions of treasure must be appropriated, an untold amount of property destroyed, and thousands of lives sacrificed to regain it.

*Second.*—By means of their fortifications at Malden and on Bois Blanc Island, at the outlet of the Straits of Detroit into Lake Erie, they now hold absolute control of the communication between Lake Erie and the upper lakes; and in the course of trade, there are seldom less than fifty of our largest sail vessels, and from four to eight of our best steamboats on the upper lakes thus situated. Should their passage down be interdicted by the works above referred to, they would all fall an easy prey to either of the war steamboats above mentioned. Our enemies could thus avail themselves of a fleet which they could man and arm with artillery brought through their internal communication between the bay of Quinte on Lake Ontario and Lake Simco and Lake Huron, and with this force which we ourselves had furnished, then take possession of Lake Erie and all the internal communications which lead to it.

*Third.*—In the event of a war, our internal communications by canals, railroads and lakes would be of more value to us, used as a means of concentrating forces, moving military stores and accelerating the movement of armies, than a standing army of one hundred thousand men without them. And these means of intercommunication should not be permitted to be destroyed under any circumstances. Without our canals and railroads, the troops of New England would be concentrated on the western frontier, or those of the south and west on the eastern, at an enormous cost in time and money, while our enemies having command of the lakes would be able to collect their whole force at any given point in a few days. Now would it not be most reprehensible in our government to omit, in threatening times, to arm itself against a possible destruction of the Erie Canal, and the harbors on the lakes, which it would require millions of money, and what is worse, years of time to re-construct, and thus for want of a stick in time throw our country open and defenceless into the arms of an enemy? Let it be realized that twelve miles of this canal is on the borders of Niagara river, which together with the dam of Black Rock, from which point alone, water is drawn to supply the canal for 150 miles, are wholly at the mercy of the guns of the Minos and Toronto, and that one night's expedition of a hundred men; from Tonawanda to Lockport, could destroy the combined locks at the latter place, to build which it has taken three years and a million of dollars, and thus render useless, utterly, the only feasible route and means of communication for military purposes between the east and west. We say, let all this be realized, before an opinion that there is no call for a naval force on the lakes should be entertained.

It is unfortunate that either with the assent or by the neglect of the government, our neighbors across the line have for years, in open disregard of treaty stipulation, menaced us with a naval armament on the lakes equal to our destruction. The public mind is excited—just fears of the disturbance of the relations of peace are entertained—confidence is destroyed, and the value of property and the results of business seriously affected. Is it not then the duty as well as policy of the government to quiet fears, and avert mischief by giving us the slight means of defence contemplated by the law referred to?

It has been apparent to the most casual observer of the course of events on the frontier for the last four years, that however desirous the federal government may have been to maintain our position of neutrality upon the border, her arm has been in a great measure powerless; she could neither enforce her neutrality law nor the process of her courts, and we have not escaped the censure of foreign powers for this inability to discharge our plain duty. If at the outbreak of these troubles the government had possessed such a vessel as is contemplated by the law referred to, she could hardly have failed in her duty for want of power. And certainly in time of peace, it would be the means of enabling us to enforce our regulations of neutrality up to the letter and spirit of our international obligations.

It has not escaped remark that means of protection have been dispensed by our government to the Atlantic and the lake frontier in a most unequal manner. The former, true, is two thousand miles in extent, and splendid cities, valuable property, dear and sacred institutions, and invaluable lives, call for the protection of government from foes who are three thousand miles removed from them, but who may come near and jeopard their safety. They do not call in vain. The seaboard frowns with fortresses at the assailable points, and a gallant navy unfurls the flag of protection and security on the Atlantic seas, and a home squadron watches her bays and capes with patriotic vigilance. No doubt is felt by the departments of government in regard to the propriety of these measures of security, nor is that doubt suggested by us. But while we agree to its propriety, we desire this same government to examine the condition of the lake frontier and see if we do not justly claim a share of her parental care, at least the means and leave to protect ourselves. The lake frontier is about two thousand miles in extent, dotted thickly with cities and villages, with an internal trade, that however startling may be the statement, now equals the foreign trade of the country and will in a few years far exceed it, with Buffalo and Rochester and their 20,000 inhabitants each, with numerous other towns last approaching that number, and all this in the immediate vicinity of a national enemy, armed for strife and eager for its commencement, so situated that the blow would be the first intimation of the intention to strike. With all this there is not on the whole frontier a fortification so manned and armed as to be able to stand out for a day against one of the above named vessels of war.

In the event of hostilities with England, this frontier would be the chief field of strife, as will appear by a reference to the history of our late contest with that power. Canada is a position from which they could conveniently assail us, and where they would have a concentration of fearful military force. For our own protection we should be compelled to dislodge them, and the scenes of the late war would be re-enacted on the same ground in a magnified form.

If no war is to be engaged in by, or forced upon us, yet the vessel is needed for the same reason that the Atlantic coast needed the home squadron. She would be a vessel useful to government, first, as a transport for troops, munitions of war and supplies between the east and west, saving to the Treasury large amounts paid annually for freight and transportation. Second. She would be very useful as a receiving ship; large numbers of sailors could be employed here in the fall season, and sent to the seaboard with despatch and economy. Third. She would be useful as a school for apprentices, large numbers of whom could be obtained in the several cities of the lakes, who, employed thus, would be of service to themselves and the country. And fourth. She could render essential aid to our commercial vessels in fall gales and turbulent weather, either on the upper lakes, where for want of sea-room and harbor improvements, in that portion of the season the navigation is more difficult and hazardous by far than any that is known on the Atlantic coast. The aid and security that would be afforded to this commerce will be better understood by looking at the extent and increase of the trade itself.

In 1824 there was one steamboat on Lake Erie and the upper lakes. In 1840 there were more than 50 steamboats on the same waters, from 100 to 750 tons burthen, averag-

ing 400 tons burthen each; making in the aggregate of this class of vessels twenty thousand tons. In 1825 the number of sail vessels was 50, and in 1810 about 300, varying from 50 to 300 tons burthen, averaging about 150 tons; making an aggregate of tonnage in this class of vessels of 45,000 tons. Tonnage in steamboats and vessels, 65,000 tons, all employed in voyages that extend from four to twenty-five or thirty days. Many of these sail vessels are ships, brigs and schooners, of the best class for size, model and rig, and are all fully and profitably employed. And these steamboats are not surpassed for size, model or finish by any in America. The average cost of the steamboats is about \$50,000; making an aggregate cost of steamboats of \$2,500,000, and the average cost of the vessels is about \$4,000; making an aggregate cost of vessels of at least \$1,200,000—showing an investment in vessels for this trade of the sum of \$3,700,000. The immense amount of property carried in these vessels cannot be understood without looking at the number of arrivals and departures for a year; and to show the increase, we give them from 1815 to 1840 inclusive, thus—in 1815 the number was 64; 1816, 80; 1817, 100; 1818, 100; 1819, 96; 1820, 120; 1821, 150; 1822, 200; 1823, 236; 1824, 286; 1825, 359; 1826, 418; 1827, 972; 1828, 1520; 1829, 1800; 1830, 2052; 1831, 2400; 1832, 2560; 1833, 2730; 1834, 2975; 1835, 5280; 1836, 5550; 1837, 3955; 1838, 3895; 1839, 3955; 1840, 4061. Here we find that the arrivals and departures in 1840 were 4061. We may suppose that estimating the steamboats and vessels, they would average 250 tons burthen each, and we get the aggregate tonnage of our trade for the year 1840, in the enormous amount of one million fifteen thousand two hundred and fifty tons.

In view of the premises herein minutely detailed, we humbly submit—First, That the law in question should be immediately executed by building a steam vessel of war, of ample dimensions, superior speed, and mounted with a battery of guns of large calibre. Second, That such vessel should be built at this point, where there is by far the best concentration of the means of defence that can be found on the lake; and third That she should be built under the superintendence of Capt. *Stephen Champlain*, who is a citizen of this place, and whose superior knowledge of the people and business of this section of the country would eminently fit him for such superintendence; and that when completed, such vessel should be commanded by the same brave and veteran officer, whose appointment to the command of the naval force of these lakes would be triumphantly vindicated by reference to the history of *Perry's* battle on Lake Erie, where the intrepid Capt. C. rendered such service to his country as should challenge his country's gratitude.

We therefore respectfully request that the law above referred to may be carried into immediate effect by the construction of a steam vessel of war, such as was intended by the law.

Very respectfully.

*Buffalo Advertiser.*

#### Endicott Pear Tree.

This venerable and unfailing tree has again given forth its annual product. There does not appear to be much diminution, of late years, in the quantity, or deterioration in the quality of its fruit. By an unbroken tradition in the family, it is now 211 years since it was planted by the hands of Governor Endicott! Its appearance confirms this tradition, which, upon the whole, rests upon as strong grounds of evidence, as the nature of the case authorizes us to require.—*Salem Register.*

#### Prolific.

On Saturday we saw a limb of a vine about four feet in length, to which was suspended no less than sixty-seven bunches of ripe grapes of the kind called "Elsenborough." They came from the garden of Mr. David Allen, of Burlington, N. J.



### New York Historical Agency.

We have received a letter from our friend J. Romeyn Brodhead, Esq. dated the Hague, 24th of August. He visits Europe as Agent, under the appointment of this State, to collect such papers and documents as might tend to elucidate the colonial history of this State, to Holland, England and France. We are happy to find that he is succeeding in Holland beyond his most sanguine expectation, in attaining the object of his mission. The Dutch Government has most kindly and courteously laid open to Mr. B. all the papers in the Departments of State. He writes:

"I am now very happy to inform you, that Providence has been pleased so to bless my labors here, that I have succeeded vastly beyond the narrow bounds which limited my anticipations when I left New York. I have received the most generous courtesy from the Government here, and the result of my examination, so far, is the obtaining of 3000 pages of manuscript, commencing with 1614, and extending down to 1673. In this series of papers are many documents of the highest historical value, which I think will throw a great flood of light over many of the obscure and uncertain parts of our annals. You know, when I left, I was not very sanguine about obtaining much from Holland. I think now, that it will be the richest mine that I shall explore.—The West India Company papers (at Amsterdam) are said to be complete from 1623; and I have already obtained an order, from the proper department, allowing me to take copies of any papers I may wish. If Providence should bless my labors at Amsterdam, as it has already done at the Hague, I shall have no cause to complain of want of success in Holland. Indeed I think I can safely say, that the documents I have already procured, when they come to be examined, will be pronounced among the most interesting in our records."—*Christian Intelligencer*.

### Division of Office.

The Cincinnati Chronicle has examined the list of high officers of the General Government appointed from the adoption of the Constitution, and finds the result to be as follows:—Of the offices of President, Vice President, Secretaries of State, Treasury, War, and Navy, Judges of the Supreme Court, Post-Masters General, and Attorneys General, their distribution among the States has been as follows, viz: including the recent administration of General Harrison.

From Massachusetts .....	23
Virginia .....	23
New York .....	12
Pennsylvania.....	9
Maryland ....	13
South Carolina .....	6
Georgia.....	6
Delaware.....	3
Connecticut .....	4
New Jersey .....	3
North Carolina .....	4
New Hampshire .....	2

The above are the results in the "Old Thirteen." Of the New it is thus:—

From Kentucky .....	8
Tennessee.....	6
Ohio .....	5
Louisiana .....	1
Alabama .....	1
Michigan.....	1

It appears then that of the old thirteen States, Rhode Island has not been honored with a single important appointment; and that from the State of Maine, Vermont, Indiana, Illinois, Missouri, Arkansas and Mississippi none has been made. On the other hand, the four old States of Massachusetts, Virginia, Maryland and New York have received more than half the whole.

### Water Spout on Lake Erie.

On Friday evening last, between 5 and 6 P. M. our citizens enjoyed the sight of a rare and imposing exhibition in the natural world commonly known as a "water spout," which passed in front of the town within a mile of the Beacon Light.

It seems that what we call a whirlwind upon land, causes a water spout at sea, when the ærial forces are sufficiently powerful to raise water.

These whirls or whirlpools in the atmosphere result from the meeting of different currents of air, and form a vortex in the same manner as eddies are made in running water by obstructions or counter currents. On Friday, the wind blew strong from the N. E. until about 5 P. M. when it changed suddenly to West, still blowing a gale and bringing onward a dark and threatening storm. A few minutes before the change of wind the whirl which caused the spout came off the land two miles west of the Pier, producing a great agitation of the water, raising and driving about the spray with great fury; the sea running high at the time. In a short time a portion of the low black cloud which lay directly over the troubled portion of the water, descended in the form of a large sack, half way to the surface of the Lake. It was apparently of the size of a large hay stack, hollow, and the spray or vapour of which it was composed had a spiral and upward motion, around the cavity of the column. It proceeded from shore in a North-Easterly direction, not in a regular track, but with constant and sudden deviations, perhaps two miles; the portion descending from the clouds, at times almost dispersed by the strength of the gale. If the sun had not been obscured, and the air darkened by the storm in the West (immediately behind it) the whole of the spout would no doubt have been distinctly seen.

When opposite the harbor its direction became more southerly, its color changed from the dark cast of a heavy cloud to the whiteness of spray or falling rain, and it took the form of an inverted cone with regular elements, its vertex resting on the water (not larger than a hog's head,) its base surrounded by moving clouds. Very little rain fell while it was in sight, and whether this proceeded from the water elevated by the whirlwind could not be ascertained. As it travelled eastward before the wind it approached the shore a mile east of the city, changing shape continually and causing as it passed a great commotion in the already agitated waters. Here a fresh gust seemed to break up the column and it vanished. Fortunately no boats or vessels were in its route, or damage might have ensued.

Among the numerous displays of the grandeur of storms which our waters afford, we have witnessed none more varied or sublime than this. It was not considered a large spout when compared with those which occur on the broad ocean, to the wonder and alarm of the mariner, but seems to have been perfectly formed though upon a limited scale.

We are informed that three of them occurred at the same moment about 25 miles west of this place a few years since; and passed among some vessels without coming in contact with any of them. It may be very long before another makes its appearance here.

[*Cleveland Herald*,

### A Newly Discovered Salt Spring.

The Rochester Democrat says: A salt spring has been opened in the town of Galen, county of Wayne, about fifty rods from the Erie canal, on the land of the Rev. Dr. Judd, of Ithaca, with the fairest prospect of the best of brine, and even of the fossil salt, as is evidenced by comparing the borings in Europe and the late boring near Abingdon, in Virginia, with the report of the engineer employed at Galen.—The diameter of the tube bored is 4 inches, 230 feet deep. The vein is strong, and continues to run profusely over the tube, destroying all vegetation within its reach. It is uncommonly pure, producing the finest salt without the use of lime. The brine is forced up by the gas with a violence known nowhere else.



**Remarkable Discovery of a Cave,**

*In Colebrook, in Litchfield county, near the Massachusetts line.*

COLEBROOK, CONN., }  
September 24, 1841. }

For several days past, our usually quiet little town has been in quite a "commotion" in consequence of a rumored discovery of a large cavern in the north-west part of the town, bordering on Massachusetts. I, at first, supposed the story to be a hoax, and treated it as such, but, being assured to the contrary, by a respectable neighbor, who said he had seen the cave, I was induced to visit the place designated, and have had ocular demonstration of the truth of the report. It may appear incredible that a great cavern should have remained so long unknown in this inhabited region, but it is nevertheless true. It is probably large, but how large is not known, as it has been explored but about a quarter of a mile, and no one can be found who ever heard of its existence before. I have agreed with a number of my neighbors to explore the cavern as far as practicable, and I propose, with your permission, to give the result of our researches from time to time, through the medium of your paper.

The mouth of the cavern is on the farm of Mr. Jonas Randall, in the north-west part of the town, within a mile and a half of the Massachusetts line. It is a barren, rocky, unfrequented spot—a projecting cliff, of craggy rock full one hundred feet high, hangs over it with an aspect so threatening as to daunt the courage of the less daring. Why it does not fall over no one can tell. It seems to stand against all the known laws of gravitation.

It is called the "Witch's Retreat," but why I know not. When I was a boy, my father lived within one mile of this place, and I have spent hours with other boys, clambering over the rocks, and up the side of this precipice. The mouth of the cavern, at the bottom of the precipice, is covered with a huge mass of rocks which have evidently fallen from the cliff above. Some of them are very large, and from their size and form one may easily discover the place from which they fell. There was nothing in the general appearance of the place indicating the existence of such a cavern, and one might clamber about there a week and not suspect such a thing. The only opening was under a large rock, and scarcely large enough for a boy to crawl into. It could only have been discovered by accident, as it was.

Two weeks ago last Sabbath, one of Mr. Randall's boys, a bold, adventurous little fellow, and two others scarcely less so, wandering about the fields for pastime, came to this spot. While they were amusing themselves by climbing about and hiding among the rocks, one of the boys, without knowing why, put his head into this hole under the rock, and shouted "halloo!" He started back at the strange sound, and called his companions. Each in turn, put his head under the rock and made some noise, which resounded like the response of an hundred voices. Boys though they were, they had hallooed into too many cisterns and vaults not to know that such reverberations indicated room inside. So young Randall proposed they should go in and see what discoveries they could make. This the other boys declined doing. But young Randall, nothing daunted by the fears of his comrades, boldly declared he would go in alone. He crawled in about eight feet, when he found there was room enough to stand upright. A few straggling rays of light found their way between the rocks, but not sufficient to discover the dimensions of the place he was in. He seemed to *feel*, however, that he was in a large place, as a man blindfolded will feel the difference between a small room and a large one. He uttered a loud shriek with a view to frighten his companions outside, but the sound was so wild and terrific it only frightened himself, and he came out much quicker than he went in. This was a discovery just suited to the adventurous dispositions of these boys, and they resolved to make the most of it. Before they parted, they agreed to keep the thing a secret from all others, and to meet there on the next Sunday, prepared with old clothes, matches, a lantern, &c. to explore the "new cave," as they call it.

The next Sunday they repaired to their rendezvous, accoutred according to agreement, and provided with the necessary implements, they prepared to enter. Boys, like men, will rarely acknowledge a want of courage, but as each accused the other of being afraid, I conclude they were all half frightened out of their wits, for it had occurred to them that this place was called "The Witch's Retreat," and this cave might be full of witches. But with some hesitation and many misgivings, they at length entered. With lantern in hand, they proceeded cautiously forward, taking good care to keep in sight of the hole by which they entered. Having gone about ten rods without meeting with any boundary to their cave, and their small entering place beginning to grow dim in the distance, they judged it prudent to venture no farther. The cavern was much too large for them to explore, and they concluded to confide the secret to older and wiser heads. Before going out, they determined to give a loud shout altogether. I have since tried it. The reverberations are most terrific. Scarcely had the echo of their shout died away, when to their consternation and horror, it was answered by a low, suppressed growl, which seemed within a few rods of them. With one impulse they darted towards the place of entrance. The boy who had a lantern dropped it in his fright, and it was not without much rending of clothes, and many severe contusions of body, that they got themselves out. I state this on the authority of the boys.—We have not yet found any animal, nor tracks nor traces of one large enough to have made the noise which the boys assure us they heard.

The boys having reported their discovery, Mr. Randall and several of his neighbors went to the place, with guns, and crowbars to force an entrance. This, however, they were not able to do. The rocks were so large as to resist every effort to remove them. They bethought themselves of the expedient of blasting. By this means, on Saturday last they effected an entrance large enough for a man to walk in upright.

When I arrived, on Monday evening, there were some twenty persons around the cavern, and others in it. I borrowed a lantern and joined those on the inside. The mouth of the cavern is towards the south-east. If all the loose stones in and around it, which seems to have fallen there from the cliff above, were removed, the mouth would be, as near as I can judge, about fifty feet wide and thirty feet high. The air, on entering, has a peculiar smell, which I can compare to nothing. I imagine the candle burned less brilliantly than in the open air. For the first three or four rods, the way is a good deal obstructed by sharp rocks; then comes a smooth, gravelled floor, as hard as a McAdamised road. Ten rods from the entrance, we measured and found the width to be eighty-three feet; and again, at thirty rods, we found it sixty-seven feet. The sides are quite even, especially the east side, which is as smooth as if it had been chiseled. The roof is broken and craggy; in some parts rising very high, at others descending within ten feet of the floor. The flooring for the most part is level and smooth, consisting of stone and hard gravel. We met with several deep pits, into one of which we were near falling. Two of them resembled wells. We sounded one to the depth of nine fathoms, and found water, and another to the depth of five and a half fathoms, which appeared to be dry.

The main part of the cave is remarkably straight and uniform in width, for the most part. It runs in a north and north-east direction for a quarter of a mile, where it ends abruptly. We met with numerous openings at the right and left, some large enough to admit a horse and carriage, and others scarcely a man. We only marked them with chalk and passed on to the end of what seemed to be the main part of the cavern. Here we stopped for a few moments. All stood without speaking, gazing about with admiration and wonder. The silence was painful. No dropping of water, or creaking of insects, not a sound could be heard but the low, suppressed breathing of the company. It seemed as if I could hear their hearts beat. I looked at my barometer—it had risen several degrees. The thermometer stood at 60½. As we prepared to retrace our steps, we discovered an opening on the west side, a few rods from the termination of the

part of the cavern we were in. We drew near and listened. There was a low murmuring sound, as of a distant water fall, and the air which issued from it seemed colder and damper. This led us to suppose it must be of very great extent, but were too cold and weary to prosecute our researches farther at this time.

I perceive, by looking over, that my description thus far is very imperfect, hurried, and scarcely intelligible, but I have no room, to add more, and no time to write longer.—Next week I shall give you further particulars of this wonderful work of nature—wonderful for these parts—with a faithful account of all new discoveries therein.

Yours, truly,

N. C. BRODNAX.

[*Norwich Aurora.*]

#### Superior Court.

*Nathaniel Jones vs. The Aetna Insurance Company.*

This was an action of *scire facias*, brought to recover the amount of a judgment obtained by the present plaintiff, residing in Montreal in Lower Canada, against Francis Baby, formerly a resident of Lower Canada, but now of Albany in the state of New York, at the November Term of the County Court 1838, for this County, for the sum of 1174 dollars and 95 cents damages, and 13 dollars and 68 cents cost of suit. The plaintiff sought to recover the amount of the aforesaid judgment of the Aetna Insurance Company by process of foreign attachment, on the ground that at the time of the commencement of the former suit, said Company was indebted to said Baby. It appeared in evidence that said Company had become indebted upon a policy of Insurance, effected upon property belonging to the wife of said Baby; and that previously to the marriage of said Baby, the property belonging to his wife was settled upon her in such manner as to be beyond the reach or disposition of her husband. It appeared also that Mr. Baby had acted as the agent of his wife in the management of her property. The great question in this case was, whether the indebtedness of said Company to Mrs. Baby upon a policy of Insurance effected upon property, which by the laws of Canada had been secured to the wife, and placed beyond the reach or control of the husband, could, by process of foreign attachment, in this State, be made liable to pay the debt of Mr. Baby to the present plaintiff. It being a question of law, the Court instructed the jury, that the laws of Canada, in relation to the property of the wife, residing there, having been proved, were binding here, in the present case, and that consequently, upon the evidence admitted, the indebtedness of said Insurance Company to Mrs. Baby could not be made liable to pay the debt of her husband to the present plaintiff. The jury thereupon without leaving their seats returned a verdict for the defendants.

Counsel for plaintiff, Toucey and T. C. Perkins; for defendants Ellsworth and Hugerford.—*Hartford Courant.*

#### West India Coal.

The coal raised from the mine discovered about a year ago, about six miles from Havana, has been tried by the Spanish steam frigates, and pronounced by the engineers to be excellent in quality—superior to the best English. Analysis shows the coal to consist of the following parts:—

Carbon.....	71,74
Oxygen.....	6,32
Hydrogen.....	8,44
Ashes.....	13,50

100,00

The railroad from the port to the mine is in rapid progress toward completion. As the bed is believed to be very extensive, the enterprising proprietors anticipate handsome profits on their outlay whenever the West India steamers shall regularly call at Havana for a supply of fuel.

#### OBITUARY.

It was with feelings of deep sorrow that we recorded among our obituary notices yesterday, the name of Joseph Townsend, one of our oldest and most useful citizens. Connected, as he has been, for the period of more than half a century, with almost every public enterprise having for its object the advancement of the city, his demise will cause a blank in society which it will be hard indeed to fill.

Mr. Townsend was born in Chester County, in Pennsylvania, in 1756. In 1777 he witnessed the battle of Brandywine, in which, however, being a member of the peaceful Society of Friends, he took no part, and in consequence of the devastation from that battle he was compelled to change his residence. The prospects offered by the natural advantages of the then Town of Baltimore, induced him to choose this place as his home. His active business habits and unbending integrity soon became apparent, and the many evidences of the confidence of his fellow citizens show the estimation in which he has been at all times held. In the year 1794, having been mainly instrumental in the establishment of the Baltimore Equitable Insurance Company, he was chosen the Treasurer (that being the chief officer) of that useful and prosperous Institution, and he has now administered its affairs for the long period of *forty-seven years* without blemish or reproach.

Mr. Townsend was one of the Commissioners appointed to lay out the city of Baltimore as at present established, and though he traced the course of many of our principal streets over hills and through marshes, he had the proud satisfaction of seeing them grow into populous and well built thoroughfares. His philanthropy and benevolence was strongly displayed during the prevalence of the Yellow Fever in this city, in 1794, 1797, 1800 and 1819, during which several periods, his exertions in behalf of those whom the pestilence had afflicted, were unceasing. Notwithstanding his many public duties, his energy and activity were fully equal to everything he undertook; for besides the cares devolving upon him from his official station, and from the exercise of a philanthropy, most public spirited, yet most unobtrusive, he was at the head of several incorporations having for their object the advancement of the business of the city, and was otherwise connected in various ways with numerous public enterprises.—*Baltimore American.*

#### Stockholders in the Banks of Ohio.

Let us examine who are the owners of bank stock. If it is found in the hands of brokers, bankers, or other money dealers, it is conclusive that it is very profitable, otherwise not. We have a statement of the following banks. The Commercial Bank of Cincinnati; Franklin Bank, Cincinnati; Lafayette Bank, Cincinnati; Ohio Loan and Trust Company; Franklin Bank of Columbus; Clinton Bank, Columbus; Banks of Chillicothe, Marietta, Hamilton, Xenia, Dayton, Zanesville, Muskingum, Mount Pleasant, Geauga, Norwalk, Wooster, Granville, West Union, Urbana; Farmers and Mechanics' Bank of Steubenville; Columbiana Bank, New Lisbon; Western Reserve Bank. The capital stock of these banks is \$9,019,222. That part of stock owned in the State is distributed as follows:

To females.....	\$ 515,524
Aged persons retired from business ..	1,954,720
Minors.....	632,547
Savings' Institutions.....	226,500
Clergymen and physicians.....	140,550
County funds.....	132,410
Mechanics, farmers, traders and merchants.....	2,421,837
Insurance and other corporations ....	297,029
Lawyers.....	141,671
Officers of banks.....	118,714
Brokers.....	8,000
	<hr/>
	\$6,599,602

[*Cincinnati Gazette.*]

### A Sketch of the Shamokin Coal & Iron Company.

The Shamokin Coal and Iron Company was incorporated by an act of the Legislature of Pennsylvania on the 15th of June, 1836. The Company, however, was not organized until the 19th of November, 1839, when the stock was taken, and on the 26th of December the officers chosen, and arrangements made to mine and transport coal. Several of those interested in the Shamokin Coal Company believing that the interests of said Company would be promoted by the establishment of a furnace or furnaces in the immediate proximity of the mines, agreed to form a Company, and take out a charter for the manufacture of iron, under the General Act passed June 16th, 1836.

This being done, and a charter granted by the Governor, bearing date March 18th, 1840, they proceeded to build, and purchase the necessary machinery for two large furnaces, each of twelve feet bosh. In the prosecution of the business of these two companies, it was very evident that the interests of both would be much promoted by having them united into one, with all the privileges of both, accordingly the supplement to the act incorporating the Shamokin Coal Company, passed the 23d of March, 1841, was obtained. The two companies are thereby fully united, with the necessary corporate powers to mine and transport coal, and make and manufacture iron with coke and mineral coal, in all its various branches; privileges which few corporate bodies in the State possess, and which, when used with prudence and skill, must make the stock of great value.

The united companies own about 1,400 acres of coal and iron land, 750 acres are situated in Columbia county, the balance in Coal townships, Northumberland county, Pennsylvania, on the line of the Danville and Pottsville Railroad, nineteen miles from the Sunbury basin, on the Pennsylvania Canal. This road is finished about one mile beyond where the mines are now worked, two locomotives are running on it, with all the necessary cars to transport the coal, &c., from the mines to the canal; one locomotive conveys one hundred tons of coal at a load, it being all down grade, and makes two trips a day, returning with the empty cars.

The tract of land now worked is peculiarly situated, affording every facility for carrying on the mining operations with the least possible expense. By the use of a lateral track alongside the main road, the cars, without the use of horse power, are brought immediately under the shutes, at the mouth of the drifts, and the coal (after passing over screens so arranged as to separate it into different sizes) is deposited in the cars. At the shutes now erected, eight wagons, carrying three tons and a half each, can be loaded in a few minutes. When loaded, one man can remove them (it being down grade) to that part of the road at which the engine is attached.

At Sunbury the wharf of the Company is one hundred and sixty-five feet in length and about forty feet in width, with all the necessary machinery to load into boats, with ease, two hundred tons of coal per day.

When we take into view the large quantity of coal necessarily wanted at Baltimore, Washington, and other Southern towns, which can be supplied with greater facility from this region than from any other, and the increasing demand at the eastern ports, now supplied by the other coal regions of Pennsylvania, it will be difficult to assign limits to such demands. The estimated quantity necessary to supply the thickly populated country along the different branches of the Susquehanna, embracing the counties of Northumberland, Union, Columbia, Juniata, Perry, Dauphin, York, Lancaster, and part of Chester, and the numerous and flourishing villages along the banks of the river, comprising, in the aggregate, more inhabitants than the city of Philadelphia; and when we also remember that the engines on the Columbia and Philadelphia Railroad are to use this fuel, and no doubt the Columbia, York and Baltimore Railroad Company will do the same, can we for a moment doubt the advantages of this Company as successful competitors for the increasing coal trade. Nor is this all, the recently discovered mode of smelting and manufacturing iron, with anthracite coal, will, in a short time, produce a greater consump-

tion of this article than will be required for all other purposes. Two furnaces, on the improved plan, blown with one engine, yielding each eighty tons of metal per week, with a rolling mill, calculated to manufacture one hundred tons of bar iron per week, will require at the rate of six tons of coal for every ton of iron, say five thousand tons of manufactured iron, will require thirty thousand tons of coal. There are now two establishments of this kind at Danville, which will obtain their supply of coal from the Shamokin mines.

There are on the Company's tract of land, which adjoins the town of Shamokin, twelve veins of coal, running principally a distance of three hundred and twenty rods through the tract, varying in thickness from five feet up to sixty, and in elevation from two hundred to four hundred feet above the water level. By a measurement recently made by Kimber Cleaver, Esq., Civil Engineer, of the veins of coal on the tract of land adjacent to the town of Shamokin, on which the Company are now operating, it appears that there is on this tract alone, above water level, upwards of eleven millions of tons. The railroad cuts the veins at right angles, affording the greatest possible facilities for working the mines. The coal is of very superior quality, principally white and grey ash, and can be delivered at Sunbury at \$1 50 per ton; which includes every expense for mining, toll and freight on the railroad, weighing, &c.; and at Havre-de-Grace at \$3 50.

The peculiar advantages of this company in the location of their lands, their proximity to the railroad, renders the use of horse power about the mines entirely unnecessary.—The Danville and Pottsville Railroad Company find all the cars in which the coal is carried, engines, &c., &c., and transmit the coal on the road for three cents per ton per mile, including every expense. The Pennsylvania and Tide-Water Canals, are of sufficient capacity to use boats carrying each ninety or a hundred tons. Nine of the mines are now open and may be worked during the coming year to great advantage.

The distance from Sunbury to Havre-de-Grace on the Chesapeake Bay, by canal, is one hundred and twenty-six miles, lockage four hundred and eighteen feet, overcome by fifty-two locks. The toll on the Pennsylvania Canal is half of a cent per ton of two thousand pounds, per mile. On the Susquehanna and Tide-Water Canal the same. The cost of freight from Sunbury to Havre-de-Grace is \$1 25 per ton, toll sixty-three cents per nett ton, total \$1 88.

The Company also own 146 town lots being part of the plot of the thriving town of Shamokin, in which building lots are in great demand, and the town improving rapidly.

The tract of 750 acres is about 9 miles from Shamokin on the Locust Mountain and is believed to contain as much coal per acre, as is to be found in any given number of acres in any other region. The veins that have been opened are found to contain coal of the purest kind. The contemplated link of the Danville and Pottsville Railroad passes through this land, and will thus open the two markets of Philadelphia and Baltimore for the products of the mines. So far, therefore, as the coal business is concerned, it is believed that the Company owns lands with a quantity sufficient, above water level, for any demand for many years. In fact, they think it unlikely that they will have to descend below water level during the life time of any of the Company.

Immediately opposite the coal drifts, on part of the plot of the town of Shamokin, the Company erected one furnace last year. The casting house is finished, and the engine house partly built. The engines, blowing cylinders, and other apparatus, will be on the ground during this month, and it is confidently believed that this furnace will be in blast in the month of June.

The engines, &c. are sufficient for two furnaces of twelve feet bosh, and the second furnace can be built and put in operation this season. They are expected each to yield eighty tons of metal weekly, or four thousand tons per annum.

Perhaps there is no locality that presents so many advantages for the Iron and Coal business as this; situated on a railroad leading from Philadelphia to Sunbury, giving an uninterrupted conveyance to the metropolis, at all seasons,

and in the summer, a vast outlet to the waters of the Susquehanna, and thence to the north-west and south of our own State, and into the interior of the State of New York. In the midst of a coal basin of great extent and pure quality, with an abundance of iron ore in the same hills, and limestone within a short distance. But should the iron ore of this region (which by an analysis of the State Geologist proves to be rich) not be found equal in quality, we have on Monteurs Ridge an ore, proven by months' operations to be unsurpassed in quality. One furnace has been running now for ten months on this ore, with anthracite coal, and the iron made is pronounced to be of the best quality. This ore we can have delivered at the furnace for \$2 65 per ton—but having purchased the ore leave for one and a half miles on Monteurs Ridge, we shall be able to have the ore at the furnace for \$2 00 per ton. It was thought best the present season to contract for 7,500 tons of this ore, which is delivered to the Company at Sunbury for \$2 03 per ton, to be paid for in coal delivered at the same point. After the business of the Company becomes systemized, no doubt a great saving can be effected by mining the ore on the land which the Company has leased. After the second furnace is erected, the ore on the Company's land will be tested, and there is no doubt that it will prove sufficiently good for certain descriptions of iron, \$1 00 per ton on the ore or \$2 25 on the metal will be thus saved.

As the quantity of ore used in making a ton of iron is only about half the quantity of coal, it is very apparent, that it costs less to take the ore to the coal than the coal to the ore. There are also other advantages in placing the furnaces near the coal mines—it is well known that at the mouth of the coal drifts there are large quantities of refuse coal that is not worth sending to market, but is quite sufficient to use under boilers, and to heat the blast. The value of this is only the cost of transportation a few hundred yards, and thus the expense of coal for these purposes is reduced very low. Taking all these points into view, the quality of the ore of Monteurs Ridge; its cheapness; the still greater cheapness of the ore on the Company's land; the quality of the coal; its adaptation for making iron; the ease of mining and conveying to the furnace; the facilities for getting the manufactured articles to the markets of Philadelphia and Baltimore or the interior of the State of New York, it is confidently believed that the Shamokin Coal and Iron Company can compete with any other in the Union.

#### An Extraordinary Man.

Lewis Cornelius, Esq. died in his 47th year on Monday last, at his residence at Milford, in Pike county, in the north-eastern section of this State. This gentleman was one of the most remarkable persons, in respect to size, in the present age, and is only excelled by the celebrated Daniel Lambert. Mr. Cornelius was six feet two or three inches high, measured six feet around his body, and just previously to the illness which terminated in his death, weighed 720 pounds. He fell off in consequence of sickness, and after death weighed but 685 pounds. Such was his extraordinary weight, that an inch rope had to be used for his bed cord.—His wife is a tall, spare woman, and his family consists of eight children, the youngest of whom is ten years of age.—His grown children take after the father in respect to height, one of the sons being six feet and one inch and a half high. The celebrated Daniel Lambert, who stands unrivalled in weight of body, reached we believe, 739 pounds, only 19 more than Mr. Cornelius, and the renown of Daniel has placed him among the wonders of the world. Mr. Cornelius was hardly less remarkable a person, and filled nearly as great a space in the world.

The following are the dimensions taken after his death:

Circumference of waist,	6 2½
“ body,	8 2
“ arm, above elbow,	2 2
“ arm, below elbow,	1 9
“ wrist,	1 3
“ thigh,	4 2
“ calf of leg,	2 7
“ ankle,	1 7

[Public Ledger.

#### Death of George Huntington.

It is our painful duty to record the decease of one who was in truth the patriarch of our village, the earliest settler of this town, who still lingered among us—one whose biography is written in the history of the progressive improvement of this section of the country, from a wilderness to its present fertility and beauty—one who was distinguished for a long life of activity and usefulness.

George Huntington died at his residence, in this village, on Thursday evening last, at the advanced age of seventy-one years. His funeral was attended at the First Presbyterian Church, on Sabbath morning, by a large concourse of citizens; the other churches of the village suspending their usual meetings, to unite in the solemnities of the occasion. Seldom has any man descended to the tomb so universally beloved and lamented. He had spent a long life here; had been a prominent member of society; had filled important public stations; had amassed wealth, and had acquired influence.

We have already said, that Mr. Huntington was the oldest resident of this town. When he came here, there was but a small clearing around old Fort Stanwix, enclosed by a rude fence, and but a single house, which stood near the present site of the jail. All west and north, was an unbroken wilderness. At Whitesboro' there was a small settlement, and Mr. Huntington had tarried there a short time before coming to Rome. What changes did he see wrought in the appearance of this wilderness before his decease! Instead of an occasional rude boat toiling up the Mohawk, or tracing the crooked channel of Wood creek, he saw the produce of many States riding on the waters of the Grand Canal. Instead of the slow and weary packhorse, with its solitary rider, unfolding the devious windings of an Indian pathway, he was startled by the shrill whistle of the locomotive, as it flew past his dwelling with its hundreds of passengers! In the place of the dark forests in the vicinity of the fort, through which the wild beasts only roamed, he beheld numerous farms, beautiful as the sun ever shone upon, owned by himself and brother, and teeming with the productions of rich soil, rendered more prolific by the very best of cultivation.

Mr. Huntington began here as a merchant, and for many years continued in that business. He represented this county for several sessions as a member of the legislature. In every department of life, he was distinguished for accuracy, capacity, and the most perfect integrity in the discharge of his duties.—*Rome Sentinel*.

#### Mortality of New Orleans.

We have taken the trouble to compare the mortality of the present summer with that of 1839 and 1837; both seasons in which the yellow fever raged with uncommon violence. The weekly number of deaths thus far exceeds by nearly a third, that of 1839, and is greater than that of 1837, if we consider the paucity of the non-resident population.

At the worst period of the epidemic of 1839 the bills of mortality did not exhibit more than 189 deaths per week.—The last weekly statement for this year shows a mortality of 245, and the list for this week will more probably demonstrate an increase of forty or fifty more. It is moreover universally admitted by medical men that the fever is far more intractable than usual. The remedial agents which have formerly proved so successful, are inert and inefficacious.

*N. Orleans Bee.*

#### Dysentery.

A gentleman who resides in the neighborhood of Finleyville, Washington county, Pa. informs us that the Dysentery has been very fatal in that neighborhood for the last two or three weeks. In a section of country two miles by one, including Finleyville, twenty-four deaths have taken place since the disease commenced its ravages. One entire family has perished, and many families have lost several members. The disease is somewhat subsiding at present.

[Pittsburg Gazette.



Aggregate amount of each description of persons within the United States.

CENSUS OF THE UNITED STATES.

FREE WHITE PERSONS.																			
MALES.														FEMALES.					
NAME OF STATE, &c.	MALES.													FEMALES.					
	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	90 & under 100.	100 & upwards.	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	
Maine.....	40,532	35,671	31,691	27,740	42,266	29,864	19,948	12,551	7,408	4,152	1,041	120	5	38,185	34,458	30,044	27,940	42,165	
New Hampshire.....	18,435	17,300	16,929	15,663	22,170	16,381	12,915	8,690	5,485	3,447	1,084	103	2	17,959	16,693	15,689	15,457	24,679	
Massachusetts.....	47,313	40,296	37,971	37,069	76,285	52,283	30,161	19,270	11,432	6,473	1,914	195	17	45,313	40,115	36,832	40,360	74,250	
Rhode Island.....	7,121	5,947	5,969	5,659	9,878	6,798	4,452	2,799	1,570	862	287	20	...	6,504	5,812	5,710	6,030	10,833	
Connecticut.....	19,021	17,420	17,270	16,718	26,097	19,056	13,355	9,121	5,727	3,381	1,034	92	8	18,253	16,889	15,964	16,478	27,120	
Vermont.....	21,786	19,069	17,551	16,999	23,006	17,596	12,817	7,982	5,454	3,137	884	84	13	20,379	18,877	16,677	15,744	24,225	
New York.....	187,730	158,107	139,752	130,094	230,981	158,194	97,542	54,975	30,869	14,694	3,984	379	56	180,769	154,525	134,977	137,414	227,137	
New Jersey.....	28,827	23,809	21,951	19,308	31,052	21,553	13,949	8,526	4,887	2,459	660	67	7	27,505	23,161	20,362	19,701	31,514	
Pennsylvania.....	149,480	117,351	101,522	89,825	152,624	99,421	64,366	37,933	20,268	9,224	2,453	240	63	141,786	115,570	97,972	96,692	153,803	
Delaware.....	4,939	3,957	3,581	3,104	5,722	3,549	2,117	1,270	682	268	61	5	4	4,751	3,859	3,404	3,337	5,707	
Maryland.....	26,921	20,573	18,351	16,218	30,028	20,732	12,626	7,258	3,899	1,533	417	64	16	25,680	19,978	17,560	18,349	31,021	
Virginia.....	69,308	53,485	45,822	38,263	63,465	41,141	27,465	16,670	9,673	4,458	1,241	196	26	65,286	52,264	43,996	42,475	65,797	
North Carolina.....	46,413	37,011	31,473	24,819	38,756	24,254	16,799	10,432	6,365	2,830	741	125	29	43,637	35,221	29,646	26,965	43,132	
South Carolina.....	24,828	19,360	16,621	13,719	22,489	13,774	9,132	5,615	3,059	1,418	409	50	22	23,639	18,741	15,822	14,691	22,392	
Georgia.....	43,759	33,899	27,136	20,897	34,696	22,196	13,886	7,623	4,240	1,641	455	87	19	40,579	32,080	25,993	22,395	31,705	
Alabama.....	36,611	28,215	22,819	16,222	31,455	19,340	11,783	6,024	2,886	997	273	47	20	33,917	26,804	21,786	17,911	25,574	
Mississippi.....	19,542	14,164	11,475	8,662	20,084	11,995	6,001	3,289	1,430	466	130	14	4	18,235	13,328	10,919	8,911	14,464	
Louisiana.....	13,835	10,736	7,818	7,218	20,795	16,304	7,940	3,309	1,206	410	102	26	18	13,718	10,395	7,760	7,947	13,602	
Tennessee.....	67,182	53,821	44,489	34,218	51,112	31,323	19,369	12,755	7,140	3,039	855	109	22	62,684	51,013	42,327	35,965	51,907	
Kentucky.....	59,290	46,242	39,190	32,611	53,265	32,206	19,958	11,809	6,639	3,092	860	130	31	55,419	44,022	37,298	33,207	47,970	
Ohio.....	144,582	115,832	96,697	81,431	138,755	85,944	54,992	30,298	18,182	6,778	1,617	200	52	137,725	110,949	91,294	84,872	127,730	
Indiana.....	70,468	57,457	46,129	36,599	60,002	37,565	21,678	13,789	6,195	2,258	551	68	14	66,397	53,805	42,890	36,904	55,176	
Illinois.....	48,363	37,278	31,062	24,876	52,580	31,428	15,809	8,755	3,660	1,119	257	35	13	44,775	34,913	28,496	24,078	38,823	
Missouri.....	34,597	26,054	21,222	16,784	33,772	20,568	11,384	5,620	2,439	814	183	28	5	32,600	24,321	19,679	16,952	26,330	
Arkansas.....	8,607	6,331	5,077	3,863	8,532	5,129	2,751	1,194	523	162	35	4	3	8,108	5,853	4,869	3,911	5,881	
Michigan.....	19,484	16,054	12,839	10,887	22,759	16,025	8,276	4,442	1,903	623	88	12	3	18,401	15,089	11,798	10,819	18,706	
Florida Territory.....	2,455	1,947	1,520	1,305	4,388	2,801	1,193	530	220	73	20	3	1	2,241	1,761	1,448	1,322	2,220	
Wisconsin Territory.....	2,627	1,793	1,303	1,344	6,328	3,348	1,191	554	201	55	10	2	1	2,528	1,692	1,289	1,200	2,713	
Iowa Territory.....	4,380	3,138	2,475	2,179	6,207	3,310	1,512	698	272	73	12	...	...	4,082	2,962	2,188	2,064	3,789	
District of Columbia.....	2,354	1,755	1,764	1,728	2,891	1,953	1,201	724	312	115	21	2	2	2,294	1,771	1,899	2,077	3,030	
Total.....	1,270,790	1,024,072	879,499	756,022	1,322,440	866,431	536,568	314,505	174,226	80,051	21,679	2,507	476	1,203,319	986,921	836,588	792,168	1,253,395	

TABLE CONTINUED.

NAME OF STATE, &c.	FREE WHITE PERSONS.							FREE COLORED PERSONS.						
	FEMALES.							MALES.						
	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	90 & under 100.	100 & upwards.	under 10.	10 and under 24.	24 and under 36.	36 and under 55.	55 & under 100.	100 & upwards.
Maine .....	29,046	20,024	12,304	7,703	4,122	1,274	174	10	149	231	135	137	67	1
New Hampshire .....	18,269	14,183	9,824	6,702	4,000	1,388	181	8	57	68	42	48	33	..
Massachusetts .....	49,324	33,109	22,684	14,645	8,387	2,955	375	2	908	1,119	1,444	871	306	6
Rhode Island .....	7,138	4,891	3,430	2,176	1,196	444	59	2	355	388	319	242	109	..
Connecticut .....	20,110	14,863	10,792	7,220	4,274	1,436	153	4	935	1,165	710	746	331	4
Vermont .....	18,163	12,807	8,612	5,423	2,875	951	100	7	91	99	74	60	38	2
New York .....	143,882	90,163	53,496	30,190	14,281	4,152	522	25	6,008	6,370	5,711	4,221	1,476	23
New Jersey .....	20,530	14,009	8,841	5,253	2,769	803	82	3	3,019	3,429	1,978	1,639	711	4
Pennsylvania .....	92,864	60,838	37,965	21,007	9,783	2,725	316	24	6,245	6,192	5,182	3,697	1,400	36
Delaware .....	3,469	2,173	1,341	837	320	92	9	3	2,740	2,679	1,392	1,163	645	7
Maryland .....	19,343	12,477	7,859	4,376	1,801	534	95	8	9,460	7,727	4,772	4,670	2,491	50
Virginia .....	40,082	26,928	16,865	9,986	4,468	1,256	202	40	7,958	7,165	3,898	3,135	1,652	20
North Carolina .....	25,906	18,114	11,374	6,754	2,943	962	150	19	3,962	3,593	1,665	1,255	734	18
South Carolina .....	13,471	9,145	5,551	3,168	1,443	430	74	21	1,403	1,105	677	405	262	12
Georgia .....	19,603	12,300	6,795	3,679	1,485	443	79	25	427	375	232	195	137	8
Alabama .....	15,152	9,184	4,647	2,407	847	265	45	14	301	296	170	152	107	4
Mississippi .....	7,847	4,284	2,250	1,075	381	96	22	6	228	168	125	114	76	4
Louisiana .....	7,907	4,099	1,967	891	323	81	19	1	4,015	3,207	2,014	1,581	683	26
Tennessee .....	30,597	19,198	11,535	6,465	2,617	732	126	27	973	772	372	379	294	6
Kentucky .....	28,608	18,050	10,907	6,029	2,525	735	137	23	1,048	786	534	754	629	10
Ohio .....	75,799	48,588	28,037	14,636	5,592	1,345	173	22	2,560	2,688	1,719	1,175	579	19
Indiana .....	32,708	19,967	10,759	5,035	1,780	436	59	9	1,258	1,119	620	497	229	8
Illinois .....	22,676	12,712	6,514	2,941	866	184	39	2	548	568	377	265	117	1
Missouri .....	14,889	8,560	4,259	2,019	634	131	21	3	193	195	266	154	74	1
Arkansas .....	3,317	1,715	805	357	113	30	3	1	77	56	62	34	16	3
Michigan .....	11,864	6,102	3,394	1,441	451	80	11	2	93	103	119	62	16	..
Florida Territory .....	1,219	704	354	156	49	10	2	1	108	125	87	49	29	..
Wisconsin Territory .....	1,423	612	360	128	37	7	2	1	16	32	28	19	6	..
Iowa Territory .....	1,865	979	494	187	51	6	...	1	20	31	22	14	6	..
District of Columbia .....	2,026	1,338	795	413	149	41	1	1	1,168	948	562	525	237	13
Total .....	779,097	502,143	304,810	173,299	80,562	23,964	3,231	315	56,323	52,799	35,308	28,258	13,493	286
									55,069	56,562	41,673	30,385	15,728	361

TABLE CONTINUED.

NAME OF STATE, &c.	SLAVES.										Total.	No. of persons employed in mining.	No. of persons employed in Agriculture.	No. of persons employed in commerce.	No. of persons employed in Manufactures and trades.	No. of persons employed in Navigation of the ocean.		
	MALES.					FEMALES.												
	Under 10.	10 and under 24.	24 and under 35.	35 and under 55.	55 & under 100.	100 & upwards.	Under 10.	10 and under 24.	24 and under 35.	35 and under 55.							55 & under 100.	100 & upwards.
Maine .....	...	...	...	...	...	...	...	...	...	...	...	...	501,793	36	101,630	2,921	21,879	10,091
New Hampshire .....	...	...	...	...	...	...	...	...	...	...	...	...	284,574	13	77,949	1,379	17,826	452
Massachusetts .....	...	...	...	...	...	...	...	...	...	...	...	...	737,699	499	87,837	8,063	85,176	27,153
Rhode Island .....	...	...	...	...	...	...	...	...	...	...	...	3	108,830	35	16,617	1,348	21,271	1,717
Connecticut .....	...	...	...	...	...	...	...	...	...	...	...	8	309,978	151	56,955	2,743	27,932	2,700
Vermont .....	...	...	...	...	...	...	...	...	...	...	...	...	291,948	77	73,150	1,303	13,174	41
New York .....	...	...	...	...	...	...	...	...	...	...	...	1	2,428,921	1,898	455,954	28,468	173,193	5,511
New Jersey .....	1	1	7	...	...	...	...	...	...	...	...	190	373,306	266	56,701	2,283	27,004	1,143
Pennsylvania .....	12	20	...	...	...	...	...	...	...	...	...	11	1,724,033	4,603	207,533	15,338	105,883	1,815
Delaware .....	442	676	...	...	...	...	...	...	...	...	...	37	78,085	5	16,015	467	4,060	401
Maryland .....	14,996	15,440	7,725	5,218	2,522	58	14,551	14,383	7,537	4,732	2,297	36	469,232	313	69,851	3,249	21,325	721
Virginia .....	76,847	68,751	40,194	30,380	12,398	91	75,703	65,814	38,372	27,781	12,636	120	1,239,797	1,995	318,771	6,361	54,147	582
North Carolina .....	44,854	38,419	19,636	14,053	6,512	72	44,190	37,910	20,292	13,374	6,421	84	753,419	589	217,095	1,734	14,322	327
South Carolina .....	52,642	46,137	30,373	20,751	8,650	125	54,527	48,251	34,589	22,403	8,922	84	594,398	51	198,363	1,958	10,325	381
Georgia .....	48,933	43,630	24,953	16,319	5,374	126	48,445	44,348	27,557	16,265	4,922	72	691,392	574	209,383	2,428	7,984	262
Alabama .....	43,767	41,293	25,812	12,802	3,626	60	43,663	40,818	26,491	12,023	3,130	47	590,756	96	177,439	2,312	7,195	256
Mississippi .....	31,736	31,564	22,008	10,120	2,537	38	31,972	32,358	21,670	9,019	2,162	27	375,651	14	139,724	1,363	4,151	33
Louisiana .....	22,703	23,572	24,717	12,699	2,769	69	23,158	24,804	22,373	9,441	2,114	33	352,411	...	79,289	8,549	7,565	1,322
Tennessee .....	31,115	30,883	15,068	8,665	2,717	29	33,705	30,356	15,635	9,021	2,832	33	829,210	103	227,739	2,217	17,815	55
Kentucky .....	32,531	31,627	15,095	9,054	2,657	40	32,713	30,818	15,058	9,645	2,998	22	779,828	331	197,738	3,448	23,217	44
Ohio .....	...	...	1	1	...	...	...	...	...	...	...	...	1,519,467	704	272,579	9,201	66,265	212
Indiana .....	...	...	...	1	...	...	...	...	...	...	...	...	685,866	233	148,806	3,076	20,590	89
Illinois .....	53	63	30	15	6	1	53	59	20	24	...	...	476,183	782	105,337	2,506	13,185	63
Missouri .....	10,873	10,718	4,269	2,329	536	17	10,479	10,926	4,887	2,558	644	4	383,702	742	92,408	2,522	11,100	39
Arkansas .....	3,450	3,514	2,069	890	182	14	3,302	3,558	1,930	849	174	3	97,574	41	26,355	215	1,173	3
Michigan .....	...	...	...	...	...	...	...	...	...	...	...	...	212,267	40	56,521	728	6,890	24
Florida Territory .....	4,044	4,070	2,907	1,496	512	9	3,992	4,120	2,673	1,446	440	8	54,477	1	12,117	481	1,177	435
Wisconsin Territory .....	1	3	...	...	...	...	2	1	1	2	1	...	30,945	794	7,047	479	1,814	14
Iowa Territory .....	1	3	1	...	...	...	1	5	3	1	...	...	43,112	217	10,469	355	1,629	13
District of Columbia .....	598	747	338	275	96	4	630	977	498	370	158	3	43,712	...	384	240	2,278	126
Total .....	422,599	391,131	235,373	145,264	51,288	753	421,470	390,075	239,787	139,201	49,692	580	17,062,566	15,203	3,717,756	117,575	791,545	56,025

Total number of persons on board of vessels of war in the United States naval service, June 1, 1840..... 6,100

Grand total of the United States ..... 17,068,666

TABLE CONTINUED.

NAME OF STATE, &c.	Deaf and dumb, blind and insane white persons.										Deaf and dumb, blind and insane colored persons.				SCHOOLS.							No. of white persons over 20 years of age who cannot read and write.
	Deaf and dumb.				Blind.	Insane and idiots.		Deaf, dumb, and blind.	Insane and idiots.		Universities or colleges.	Number of students.	Academies and grammar schools.	Number of scholars.	Primary and common schools.	Number of scholars.	Number of scholars at public charge.	No. of white persons over 20 years of age who cannot read and write.				
	Under 14.	15 and under 25.	25 and upwards.			At public charge.	At private charge.		Blind.	At priv't charge.									At public charge.			
Maine .....	47	73	102	180	207	330	13	10	56	38	4	266	86	8,477	3,385	164,477	60,212	3,241				
New Hampshire .....	43	41	97	153	180	306	9	3	8	11	2	433	68	5,799	2,127	83,632	7,715	942				
Massachusetts .....	56	63	154	308	471	600	17	22	27	173	4	769	251	16,746	3,362	160,257	158,351	4,448				
Rhode Island .....	15	25	34	63	117	86	3	1	8	5	2	324	52	3,664	434	17,355	10,749	1,614				
Connecticut .....	60	141	108	143	114	384	8	13	20	24	4	832	127	4,865	1,619	65,739	10,912	526				
Vermont .....	27	19	89	101	144	254	2	2	9	4	3	233	46	4,113	2,402	82,817	14,701	2,270				
New York .....	269	362	408	875	683	1,463	68	91	138	56	12	1,285	505	34,715	10,593	502,367	27,075	44,452				
New Jersey .....	33	29	102	126	144	225	15	26	46	27	3	443	66	3,027	1,207	52,583	7,128	6,385				
Pennsylvania .....	225	225	331	540	469	1,477	51	96	132	55	20	2,031	290	15,970	4,968	179,989	73,908	33,940				
Delaware .....	18	15	12	15	22	30	8	18	21	7	1	23	20	764	152	6,924	1,571	4,832				
Maryland .....	43	58	77	165	133	254	66	91	99	42	12	813	127	4,178	567	16,982	6,565	11,605				
Virginia .....	133	111	209	426	317	731	150	466	326	58	13	1,097	382	11,083	1,561	35,331	9,791	58,787				
North Carolina .....	82	80	118	223	152	428	74	167	192	29	2	158	141	4,398	632	14,937	124	56,609				
South Carolina .....	40	41	59	133	91	285	78	156	121	16	1	168	117	4,326	566	12,520	3,524	20,615				
Georgia .....	78	62	53	136	51	243	64	151	108	26	11	622	176	7,878	601	15,561	1,333	30,717				
Alabama .....	72	53	48	113	39	193	53	96	100	25	2	152	114	5,018	639	16,243	3,213	22,592				
Mississippi .....	25	16	23	43	14	102	28	69	66	16	7	454	71	2,553	382	8,236	107	8,360				
Louisiana .....	14	17	11	37	6	49	17	36	38	7	12	989	52	1,995	179	3,573	1,190	4,861				
Tennessee .....	102	93	96	255	103	596	67	99	124	28	8	492	152	5,539	983	25,090	6,907	58,531				
Kentucky .....	120	128	152	236	305	490	77	141	132	48	10	1,419	116	4,906	952	24,641	429	40,010				
Ohio .....	167	198	194	372	363	832	33	33	103	62	18	1,717	73	4,310	5,186	218,609	51,312	35,394				
Indiana .....	112	91	94	135	110	377	15	19	47	28	4	322	54	2,946	1,521	48,189	6,929	38,100				
Illinois .....	54	48	53	86	36	177	24	10	65	14	5	311	42	1,967	1,241	34,876	1,683	27,502				
Missouri .....	48	32	46	82	42	160	27	42	50	18	6	495	47	1,926	642	16,788	526	19,457				
Arkansas .....	18	11	11	26	9	36	2	8	13	8	..	..	8	300	113	2,614	..	6,567				
Michigan .....	7	9	15	25	2	37	2	4	21	5	5	158	12	485	975	29,701	998	2,173				
Florida Territory .....	6	4	4	9	1	9	2	10	12	..	..	..	18	732	51	925	14	1,303				
Wisconsin Territory .....	1	4	..	9	1	7	..	..	3	..	..	..	2	65	77	1,937	315	1,701				
Iowa Territory .....	3	2	5	3	2	5	4	3	4	..	..	..	1	25	63	1,500	..	1,118				
District of Columbia .....	1	5	2	6	1	13	4	9	4	3	2	224	26	1,389	29	851	482	1,033				
Total .....	1,919	2,056	2,707	5,024	4,329	10,179	977	1,892	2,093	833	173	16,233	3,242	161,159	47,209	1,845,244	468,264	549,693				



The Kamschatka.

The application of steam power for the propulsion of sea vessels, at all times an interesting subject, is rendered doubly so at this time on account of the rapid strides which the maritime nations of Europe have taken in adapting it to vessels of war, while our own Government has been for years asleep in reference to it. England and France, especially, have now powerful steam armaments, and the smallest navy in Europe can boast of more steam frigates than these United States possess, although the latter have thousands of miles of coast on the ocean and the lakes in an unprotected condition. We have already published several notices of the powerful steam frigate Kamschatka, built in New York for the Russian Government, and whose departure took place last week. We are induced to copy from the New York Courier the following article in reference to her, as furnishing further and authentic particulars respecting this proud evidence of the scientific and mechanical skill of our countrymen :

*The Kamschatka.*—We mentioned yesterday that this noble steam frigate, built in this city for the Russian Government, and the largest ever constructed, being larger than the British frigates, Cyclops or Gorgon—went to sea on Wednesday. At the time she was launched, we went somewhat at large into a description of her, since which period, we are sorry to perceive an effort on the part of an unscrupulous print, to take from the Messrs. Schuyler, the credit of having constructed this unrivalled steamer, in the hope of conferring it all or in part, upon the Russian officers who were sent here to overlook the work, and see that it was in all respects equal to the contract.

The history of the ship is briefly as follows: On Capt. Van Chance's first visit to the United States, Mr. George L. Schuyler furnished him with the drawings of the *lines* of a frigate, which had been tendered to our Government and *rejected*. The Captain, on his second visit, brought with him an order for the construction of a frigate according to *lines*, to be furnished by him, and which had been prepared in Russia—the engines to be whatever the Messrs. Schuyler might determine upon.

After various interviews between the parties, the Messrs. Schuyler intimated that if the Russian captain adhered to his Russian model for the hull of the frigate, all negotiation between them might or will cease, as they would not build a ship after the model proposed. This resulted in a compromise: and the Messrs. Schuyler shortly after presented the *present* model for approval, which preserves the beautiful round stern, and as much as practicable, of the upper works of the Russian lines; but all of which, from below the water line, is entirely and exclusively the American model varied according to the skill and judgment of Messrs. R. & G. L. Schuyler. For the engines and machinery, they are solely responsible, as they are for having selected for their construction Messrs. H. R. Dunham & Co., manufacturers, who have no superior on either side of the water.

These facts in relation to the Kamschatka, very clearly show that she is in all respects as regards model or sailing and engines, an *American production*: and we hazard nothing in saying, that she is at this moment both in hull and machinery, very, very much superior to any steamer afloat; and while she is undoubtedly faster than any other war steamer, we incline to the belief that she will be found quite as fast as the Great Western or Cunard's steamers, although her power in proportion to her tonnage, is only about two-thirds as great.

It affords us great pleasure to annex the following interesting letter from Messrs. H. R. Dunham & Co.

NEW YORK, }  
Sept. 30, 1841. }

To J. Watson Webb, Esq.

Dear Sir:—At your kind request of information about weight and proportions of engines and boilers for Kam-

schatka steam ship, for the Russian Government, we have prepared the following statement :

The engines are two in number; each cylinder being 62 in. diameter and 10 feet stroke, lying horizontal and are placed in the bottom of the ship. The motion of the piston rod is communicated in the ordinary manner to a hanging beam of a triangular form; one angle of which receives the link from crosshead, and the other passes the power to the cranks through the connecting rod. The engine is technically known as the half beam engine. The whole of the working parts are included and supported by a connected east iron frame twenty-six feet long and twenty-four feet wide, and firmly secured by wrought iron bolts and stays, passing in the several directions of the strains and through the entire bottom of the ship. The whole of the engines and frames were fitted by machinery and were not tried together until set in their places on board the ship, and so accurate that not one piece required fitting on board.

The shafts and cranks are of wrought iron and weighed rough, 38 tons, and when finished, 30 tons. The water wheels are also of wrought iron and weigh 32 tons. The engines are worked by double balanced valves, with a double pair of the same, for cutting off the steam in the cylinders; being arranged so easily of adjustment, as to require but five minutes to set or alter them to cut off at any given, part of the stroke; the cams being graduated from one to seven-tenth parts of the stroke; the whole being so simple and effective as to be easily set by one of the ordinary firemen.

The boilers are of copper, and four in number, built on the flue and tubular principle, and possessing in an eminent degree, the advantage of both. The tubes receive the heat direct from the furnaces, and from them it passes through large flues in its passage to the chimney. The boilers are intended to burn anthracite coal without the use of blowers, and which in her trial, proved entirely satisfactory, though much lighter in proportion to the cylinders, than most boilers in use with blowers. The boilers with smoke pipe and breeching for the same, weigh about 90 tons. The whole of the engines and boilers, together with nearly all her fuel for St. Petersburg, or Cronstadt, are included in two wrought iron bulkheads placed at each end and measuring apart 70 feet. The engines and boilers were manufactured by Messrs. Dunham and Co. of this city, under the inspection and from the plans of R. & G. L. Schuyler, engineers and agents for Steamer Kamschatka.

Length of ship at water line.....	210 feet.
Breadth of beam.....	36 “
Depth of hold.....	24 “
Diameter of water wheels.....	30 “
Reefed when leaving port to.....	28 “
Length of Bucket.....	9 “ 6 in.
Dip of do.....	5 “ 6 “
Diameter of shaft journals.....	1 “ 4 “

Total weight of the engine and boilers about 450 tons, of which there are about 235 tons of cast iron, 120 tons wrought iron, and 95 tons copper and composition. The whole has been under work nominally about eighteen months, but in reality not over twelve; the preparations necessary for such an undertaking requiring several months for their completion. But we could now build another from the same patterns and finished ready for operation in ten months from commencement.

There has been employed in building the engines, boilers and appurtenances, an average of two hundred and fifty hands for eight months, besides the numerous planing mills, lathes and other machinery used in operation, and we are now prepared to execute orders for steam ships up to 3,000 tons, with all the machinery necessary for immediate use in the manufacturing of the different parts of the engine as well as for the light river boat engines, and all we require is but a liberal and fair encouragement to produce as good work in this city as can be made in any part of the world.—

Respectfully, yours,

H. R. DUNHAM & Co.

### The York Ledge Monument.

We are indebted to Alexander Parris, Esq. for a copy of the following interesting communication. It details the dangerous and difficult operations of his workmen on one of the most exposed situations on our coast, and the successful accomplishment of the undertaking. A plan of the Monument was exhibited at the recent Fair in Quincy Hall, and attracted the eye of almost every visiter.

[*Portsmouth Journal.*

PORTSMOUTH, N. H. }  
September 13th, 1841. }

Sir:—The cast iron monument on York Ledge having at last, under the most difficult circumstances, been completed and secured to the rock, thus furnishing to seamen an important and conspicuous designator of this dangerous reef, it gives me pleasure to communicate to you a description of its structure, in connexion with a short account of the history of the undertaking as furnished from the journal of Mr. Gridley Bryant, under whose superintendence it was erected. The novelty of the design in this country of erecting iron beacons upon reefs and sunken rocks, the peculiar character and situation of the Ledge in question and the circumstances under which this beacon was constructed, tend to make the account somewhat interesting to all who have the least concern in the navigation of our coast and especially to those whose immediate interest is confined along our eastern shores.

This rock, in consequence of its dangerous situation, lying directly in the way of vessels bound to Portsmouth and York Harbors, from the eastward, and indeed to all whose course lies inside of the Isles of Shoals, has long been an object of anxiety and dread to seamen, as its situation could rarely be seen or inferred but when it was indicated by breakers which, in consequence of the depth of water upon it at high tide, only broke over it at low water or in severe storms. In moderate weather, otherwise favorable for coasters and ships, coming into Portsmouth harbor inside of the Isles of Shoals, nothing was to be seen by which the situation of the Ledge could be known, and very few vessels would make the attempt of reaching this port from the direction in which it lies. Frequent wrecks and losses have been the consequences of these attempts before the beacon was erected.

At times of ordinary tides, no part of the Ledge is bare excepting occasionally the projecting point of some detached rock rising perhaps a foot above the level of common low water, and it is only at the lowest spring tides that the Ledge to any extent is left uncovered, and even the part then exposed, is so much broken and indented with hollows and crevices, that but one or two tolerably fair portions offer sufficient space to land upon for any purpose of building or observation. The ordinary extent of the Ledge left exposed at low spring tides is about the dimensions of 250 by 160 feet, but I have landed upon it in calm weather when the tide fell unusually low, when an area of nearly two acres remained bare, but over this whole surface the greatest space which offered any facilities for landing and building did not exceed the extent of 200 square feet; and this portion did not average an elevation of more than two feet above the level of the sea, at that time. The nearest land is a part of York, Me. about four miles distant: the eastern point of the Isles of Shoals is about seven miles off, and in every other direction the Ledge is completely exposed to the fury of the severe storms which happen so frequently in the winter upon this coast: in calm or moderate weather the heavy ground swell breaks around and over it in every direction, rendering the attempt of landing, on most occasions, utterly impossible, and even in the calmest weather when alone practicable, a business requiring the utmost care and prudence to prevent the boats from getting stove or swamped. Although during the whole time operations were continued on the rock, a period of 500 days, every opportunity which occurred for landing was improved, yet Mr. Bryant had but 99 days in which he was enabled to get upon the rock at all: many of these occasions were attended with the greatest difficulty and

danger to the boats and men, from the tremendous swell which broke around the Ledge in every direction. During the progress of erection he made many attempts to land, but was obliged to relinquish the effort after having rowed in his boats five or six miles in a rough and heavy sea.

It was in consideration of the peculiar character and situation of York Ledge, its limited extent and the difficult landing upon it, that I proposed in my report to you on this subject, an iron spar beacon as the most suitable and conspicuous mark which could be erected there. This kind of monument would require the least amount of time and labor on the rock before setting up, would better resist the fury of the sea, and would be more firm and enduring than a structure of any other material. The utility of iron for purposes of this kind has been thoroughly proved in Great Britain, and the first experiment which was tried, still continues to exhibit the strength and durability of cast iron beacons erected in the most exposed situation. The first iron beacon of this kind was erected by Mr. Stevenson, Civil Engineer, on Carr Rock, coast of Scotland, a most dangerous rock, in situation and extent much resembling York Ledge. I accordingly adopted a similar form of beacon to the one there erected.

This beacon is composed of six cast iron hollow pillars each  $22\frac{1}{2}$  feet long, 12 inches diameter at the lower end on which is cast a flanch: they are 10 inches in diameter at the top, and are cast in two parts which are connected together by faucet joints. These pillars or columns are disposed at the base in a hexagonal form and inclined inwardly so as to meet and rest against each other at the top, thus forming a hexagonal pyramid: within the base thus formed by the feet of the columns, and secured to the rock is an iron centre plate with sockets, from which radiate six diagonal braces, which are secured in the sockets of the centre plate by hook joints and spear bolts. These braces are cast hollow and incline towards, and butt against, the main pillars on which are cast arms, to which the braces are secured by bolts passing through, both arm and brace. The tops of the main pillars where they meet, rest against an iron centre block, which gives additional solidity and strength to this part of the structure; over the apex thus formed by the meeting of the columns and centre block, enclosing the whole is an iron tubular cap which rises eight feet above the tops of the pillars, and rests on an iron ring previously placed around them. The upper end of this cylindrical cap is surmounted with an iron ball three and a half feet in diameter, cast in ribs which are enclosed in an iron ring with the inscription "York Ledge, 1840." The whole structure is well keyed and wedged together, and an additional security given to the whole, by wrought iron braces, which are fitted in grooves cast on the collars where the radiating braces are joined to the main pillars: these wrought iron braces are keyed together and enclose the main columns of the beacon as by a hoop. To give further security and solidity to the beacon, the hollow cavities of the columns, braces and tubular cap, are filled with hydraulic cement, which most effectually prevents the sea from entering any part. The whole of the exterior is painted black, except the ribs of the ball, which are alternately colored red and black.

This form of beacon having been approved, Mr. Emerson of Portland, took the contract for the iron work, and Mr. Bryant of Boston undertook the business of its erection upon the rock.

The first object to effect, was to decide upon a suitable place on the shore at the nearest point to the Ledge for an encampment for the party which was to proceed with the work. The most favorable position for this purpose was at Godfrey's Cove in the town of York, its distance from the Ledge being about *five miles*. Here a temporary house for the accommodation of the men was erected, and proper facilities obtained for making and repairing the tools, &c.—From the 8th of February, to April 15th, 1840, Mr. Bryant's time was principally engaged in making these preparations and preparing tools and means for the commencement of the work. He had three life boats built after a plan of his own, which were particularly adapted for the purposes intended, and for landing through heavy seas as would often be required in a work of this kind. These boats were

of a light draught of water, built in the strongest and most thorough manner, possessing great buoyancy and stability: they were implicitly trusted in by the men, whose confidence arose from experiencing on more than one occasion their utility and safety: it was on the second excursion to the Ledge that their powers were fully proved. Mr. Bryant says, on this occasion he went out with two of the boats and seven men, but was not enabled to land. The wind freshened and soon blew a violent gale, the boats were constantly taking in water, and the party were three and a half hours in reaching the shore on their return, but were completely satisfied with the capacities of the boats. Such continued to be the confidence reposed in these boats, that the men, when prevented by the roughness of the weather from landing on the Ledge, would often in the heaviest seas employ their time in fishing.

As the operations on the Ledge previously to the erection of the beacon, were to be confined principally to drilling the large holes for the reception of the main pillars, Mr. Bryant constructed a large drilling machine, to be fixed permanently to the rock until the holes were completed. By this arrangement a great inconvenience as well as loss was avoided in carrying a large number of heavy tools on every occasion of going to the Ledge, which otherwise would have been obliged to be left at the risk of being washed away before returning. This machine was perfected, and during the whole period of working answered most thoroughly the object intended. On the first of May Mr. Bryant had these preliminary arrangements completed and had procured a party of eight men ready to commence the undertaking as soon as suitable weather and tides should occur to admit of landing. Of this party Mr. Joseph W. Coburn was engaged as foreman, and Mr. Elisha Turner as blacksmith, both of whom had been engaged a considerable time previous.

The first landing on the Ledge was effected with a party of eight men on the 19th of May, no previous opportunity occurring in consequence of the state of the tides and weather. The first object to be accomplished was to decide upon and clear away a portion of the rock for the site of the beacon. The holes for securing the drilling machine were then commenced, and one six inches deep was sunk for the reception of the centre shaft. The party on this occasion worked one and a half hours, when the tide obliged them to return. From this time they had no opportunity of landing on the Ledge till the 31st of May, when at 3 o'clock in the morning a party of seven men and two boats succeeded in landing and getting one and a half hours work. At 3 P. M. they again started for the rock, but could not land on account of the heavy sea; they were obliged to return—but the further particulars of this attempt have been before alluded to. On the morning of the next day another landing was made and two hours were employed in levelling the rock for the centre plate of the beacon. In the afternoon the attempt to land was unsuccessful; the next morning, however, a landing was effected, notwithstanding the heavy sea which breached almost continually across the Ledge; the men, however, contrived to work on the rock one hour and twenty minutes, after which, as the sea increased, they were forced to leave. From this time they were not enabled to land until the ninth of June, when one hour and twelve minutes were obtained: the remainder of this month offered but six opportunities for getting upon the Ledge, and from the commencement of work to this period, but eleven landings had been secured, giving in the whole time an amount of nineteen hours and twenty-three minutes for active operations.

The first part of the month of July, on account of weather and tides, was very favorable for the prosecution of the work, and during the first eight days of this month, the men had obtained as many landings and employed seventeen hours and forty-five minutes to good advantage. In this period the drilling machine was secured to the rock and put in operation for drilling the main holes for the beacon. By this time, the men had become well accustomed to the work, and though on some occasions heavy seas would breach across the Ledge, they would continue at their occupations with apparent indifference; it was necessary, however, when a larger wave than common broke over the rock, to be ready

to cling firmly to some part of the drilling machine or bolt, to prevent being washed off. In the whole of the month of July upwards of twenty landings were effected, some favorable days giving opportunities for getting on the Ledge at both morning and evening low tides.

In the months of August and September, thirty-four landings were obtained, two being frequently effected in one day: on some occasions, however, in the latter month, although the men were successful in landing, yet they could do no work, owing to the extremely heavy breakers. In all October, but three landings were effected, and these too, with the utmost difficulty and danger; the boats being frequently filled with water, and the men only by the most strenuous exertions succeeded in reaching the land.

As the season for profitable operations was now so far advanced, Mr. Bryant had but little prospect of doing any more work upon the Ledge until the next year, but with the hope that a few landings might possibly be had in the month of November he retained all his men until the 23d, without however succeeding in a single attempt; despairing now of any further success he discharged all hands for the season. Mr. Emerson arrived in this month with the iron-work of the beacon and landed at York Harbour.

Induced by the moderate weather in the latter part of January, 1841, Mr. Bryant resolved again to attempt carrying on operations at the Ledge, and after one unsuccessful excursion he landed with a small party on the 5th of February and obtained about fifty minutes' work. On the 6th he made another landing which was the last until March 10th, when one hour and forty-five minutes were occupied in the work: this was the only landing effected in March, and the month of April followed with but little better success, as only two landings were secured, and on the latter occasion the men could work but ten minutes when they were driven off by the breakers.

During the month of May nine landings were made and the drilling for the main pillars so far advanced, that on the 17th of June, Mr. Bryant concluded to carry out the first or lower section of the Beacon, which was safely landed on the Ledge. On the 21st, the derrick for hoisting the pillars into their places was carried out, but as the sea prevented the party from landing, it was anchored off the Ledge until a favorable opportunity should occur for setting it up, which however did not happen till the 24th: the centre plate of the Beacon was secured on the 23d. On the 26th of May, the first column was set up and secured, the men working to the middle in the water.

In the month of June all the pillars comprising the lower section were set in their places, and Mr. Bryant says from the period of the first landing of this part of the Beacon, until it was set up and secured, the whole party were obliged to work in the water, continually exposed to the seas as they broke over the rock, which as they advanced would force the men to cling firmly to some part of the work to prevent being carried away. The waves would lift them entirely off the rock, while the body by this movement would rest in a horizontal posture until the force of the wave was spent and relieved the feet from this elevated position. From remaining so long in the water, sores were produced on all of the party, and the skin was constantly decorticating from the feet and hands.

The remainder of the Beacon was landed, set up and secured to the Ledge in the first part of the month of July: a few landings more were necessary to complete the keying, painting, &c., and on the 20th the whole work was considered as permanently secured and finished.

Perhaps a more unfavorable position than York Ledge, where a Beacon or Light-house would be required, and upon which it would be at all possible to build, will not often occur. The circumstances detailed in the account of the erection of this Beacon show, that almost as great difficulties as a work of this nature could possibly present, were overcome by the skill and energy of competent and courageous workmen; and probably, many dangerous rocks and shoals on our coast and in the vicinity of our harbors, which have proved the destruction of valuable ships and cargoes from the want of some distinguishing mark to indicate their position, still

remain without a warning guide, which might be placed upon them at perhaps less cost, and with less difficulty than was experienced in the present case. The nature and great durability of iron Beacons, which require but comparatively little time under ordinary circumstances in setting up, their permanence and power to resist the fury of the heaviest storms, afford many reasons why they should be preferred to the ordinary and precarious structures, which are commonly erected as monuments on dangerous places, and which are too often destroyed or carried away, causing the seaman on such occasions to doubt as regards his vicinity to danger, from the absence of the usual guide.

In conclusion of this account, I subjoin the copy of a letter received a few days since, relating to the Beacon at York Ledge, and which furnishes proper sailing directions to vessels that may be placed in its vicinity.

U. S. REV. CUTTER MORRIS, }  
Boston Harbor, Aug. 23d, 1841. }

Sir: Agreeable to your request, I herewith transmit to you a description of the Beacon lately erected on York Ledge, together with the soundings near it, and its bearings from remarkable points on the main land and adjacent Islands.

This rock is bare at two-thirds ebb of spring tides, and extends E. N. E. and W. S. W. about two hundred and fifty feet in length and one hundred and fifty or sixty in breadth.

Strangers must not approach this rock nearer than three-eighths of a mile. A shoal extends N. E. and S. W. from the main rock about one quarter of a mile, having not more than two fathoms at low water: the soundings near it are gradual, from five to twenty fathoms half a mile from the rock. During the present summer an iron beacon has been erected, 33½ ft. high, 25 ft. above the level of the sea at high tide, and may be seen 12 miles distant in clear weather.— Upon the main pillars of the Beacon rests an iron tubular column, 10 feet high, supporting an iron ball 3½ feet in diameter, upon which is inscribed “York Ledge, 1840.” The following are the bearings of various objects from the Beacon, viz:

Boon Island Light,	E. $\frac{3}{4}$ N. about	7 miles.
Whale's Back,	W. by S. $\frac{1}{4}$ S.	6 “
White Island (Shoals) Light,	S. by W. $\frac{3}{4}$ W.	9 “
York Nubble,	N. by E.	4 “
York Harbor	N. W by N. $\frac{1}{4}$ N.	3 “
Western Sister,	W. S. W.	5 “
East point of Duck Island (Isle of Shoals,)	S. $\frac{1}{2}$ W.	7 “

N. B. S. W. about two miles from the Beacon, lies a Shoal called the “Triangles,” which breaks in a heavy ground swell, and has not more than 4 fathoms low spring tides.

Very respectfully, &c.

(Signed) GREEN WALDEN,  
Capt. U. S. rev. service, comd'g Cutter “Morris.”

P. S.—Vessels falling in with York Ledge in foggy weather, may, by sending their boats, read “York Ledge, 1840,” as described, and shape their course accordingly.

G. W.

It is hoped that the success of this undertaking will be followed in cases where similar works are required, by the adoption of the same material and like mode of construction, as they together form a structure, which, in point of durability and strength, is but little inferior to the rock itself.

I have the honor, Sir, to be

Respectfully, your ob't servant,

ALEX'R PARRIS.

To the Hon. John Anderson,  
late Collector of the Customs, Portland, Me.

New Corn Law Schemes.

It will, doubtless, be interesting to our readers to have placed before them the various suggestions and propositions that have been lately made for the alteration of the corn duties. This is the more necessary, as it seems to be a generally received opinion that some modification of these grievous imposts on food will be shortly made, whoever may be minister; for, as Sir George Murray truly remarked at Manchester, nobody approves of the existing regulations.

In fixed duties we have the Government proposition of 8s a quarter on wheat; we have Mr. McCulloch's proposal to fix the duty at 5s; we have Mr. Burgess's protest against a lower fixed duty than 12s, though if we recollect rightly, a few months ago an 8s duty would have satisfied the writer of the “Circular to Bankers.”

Sir Robert Peel has decided in favor of the sliding scales but his most intimate friends anticipate that he will lower the point of free importation; rumor ascribes to him an intention of ascertaining and regulating the averages by the sales of our own corn only, at the great agricultural market towns, and by that means to escape by what is termed the fraudulent running up of the averages, and the bringing down of the duties. To any such attempt we may safely predict utter failure. It is impossible, under the sliding system, to prevent large speculators in corn from acting on the markets in such a way as to enhance the ostensible averages, whenever it is their interest to do so. Mr. Gladstone proposes to lower the sliding scale, so as to admit of foreign wheat at 1s, when our averages are at 63s, instead of 73s, as at present. Lord Willoughby d' Eresby has submitted to the public the following scale of duty on wheat:—

Average Duty.

70s	-	-	1s	63s	-	-	17s
69s	-	-	2s	62s	-	-	18s
68s	-	-	5s	61s	-	-	19s
67s	-	-	8s	60s	-	-	20s
66s	-	-	11s	59s	-	-	21s
65s	-	-	13s	58s	-	-	22s
64s	-	-	15s				

A writer on free trade, under the initials “F. C.” and who is known to have had considerable experience as a farmer, in foreign countries, and as a large importer and speculator of wheat in England, suggests a wider range of fluctuation than that proposed by the noble peer. The following is the scale of duties suggested by this gentleman:—

Average Duty.

50s and under	51s	27s 0d	65s and under	66s	9s 0d
51s	52s	26s 0d	66s	67s	8s 0d
52s	53s	25s 0d	67s	68s	7s 0d
53s	54s	24s 0d	68s	69s	6s 0d
54s	55s	23s 0d	69s	70s	5s 6d
55s	56s	22s 0d	70s	71s	5s 0d
56s	57s	21s 0d	71s	72s	4s 6d
57s	58s	19s 0d	72s	73s	4s 0d
58s	59s	17s 0d	73s	74s	3s 6d
59s	60s	15s 0d	74s	75s	3s 0d
60s	61s	14s 0d	75s	76s	2s 6d
61s	62s	13s 0d	76s	77s	2s 0d
62s	63s	12s 0d	77s	78s	1s 6d
63s	64s	11s 0d	78s	79s	1s 0d
64s	65s	10s 0d	79s	80s	0s 6d

This scale is said to be based on the price at which foreign corn can be imported here, without loss, from the largest and cheapest market—that is, from Odessa and other ports in the Black Sea. Mr. McCulloch, it will be recollected, stated the average price of the best Odessa wheat, during the last three years had been 34s 6d a quarter, on the spot, whereas, the author of a pamphlet entitled “Remarks on the Price of Growing Wheat in Foreign Countries,” says it can be imported into this country at 36s duty and profit excluded.— This difference is, however, reconcilable, if we take into consideration a fact wholly overlooked by Mr. McCulloch—the great failure of the harvest of 1840 in the southern provinces of Russia and Poland, which supply Odessa, a fail-



ure so great as to have last year converted Russia into an importing, instead of an exporting country. Mr. McCulloch disparages the quality of Odessa wheat rather unnecessarily. That wheat is heavier than the best Dantzic, and makes quite as wholesome bread; indeed, when mixed with a little whiter flour, it is impossible to distinguish it from the best bread in Europe. Mr. McCulloch is, perhaps, nearer the truth in asserting that the export of wheat from Odessa cannot be materially increased without a previous addition to the facilities of conveying corn from the interior. The greater part of the produce shipped at that port has to be conveyed in land carriage, of the rudest and slowest description; in cumbrous and heavy wagons, drawn by oxen, over a trackless country. The trade which centres in Odessa is marked by the courses of the rivers Dnieper, Bug and Dniester. The navigation of the Lower Dnieper is interrupted by a series of falls and rapids above and near the river's mouth, which makes land transport often preferable, down this part of the stream, and indispensable in ascending it, and the Bug and the Dniester can only be navigated by small vessels, that cannot encounter the sea round the points to the port, and land carriage is thus again necessary. These obstacles to, and difficulties of land carriage, would, however, rapidly disappear, if the demand for wheat at Odessa were considerably increased. Certain it is, that Podolia, with the exception of the Theiss, in Hungary, produces the greatest amount of grain, at the least expense to the cultivator, of any district in Europe.

A compromise between the sliding scale and a fixed duty has been proposed under the signature which formerly conveyed to the public the useful opinions of Mr. Deacon Hume. It is a mixture of both schemes; and proposes to levy a fixed duty of 5s a quarter on all foreign wheat, besides a fluctuation impost of 20s, when the average price is 40s, which shall decrease gradually until it ceases altogether, when the price is 60s.

The last proposition is, that of the manufacturing interest; it is for a trade in corn wholly unobstructed by fiscal regulations or duties. And this appears to us—not ignorant or unmindful of the importance of the question, and the magnitude of the interests involved in any alteration, or of the want of information on many material parts of the subject, on which knowledge would be the most valuable—the wisest, and the safest plan.—*London Journal of Commerce.*

#### Price of Flour in Ohio, 1820 to 1840.

In the speech of Mr. Muller of that State, in Congress, upon the Fiscal Bank Bill, published in the Ohio Statesman we find the following statement of the price of flour in the eastern part of Ohio for 21 years viz: 1820 to 1840 inclusive—

Year.	cts. per bush.	Year.	cts. per bush.
1820	20	1831	50
1821	31	1832	65½
1822	38½	1833	59½
1823	38½	1834	59
1824	42½	1835	83
1825	38½	1836	112½
1826	33	1837	115
1827	50	1838	105
1828	50	1839	84
1829	78	1840	50
1830	50		

#### Death of Gen. Edward Paine.

General Edward Paine, one of the earliest settlers of Northern Ohio, died at his residence in Painesville, on the 28th ult., at the advanced age of 96. General Paine was one of the first to engage in our glorious Revolutionary struggle. He led on the first company that broke ground on Dorchester heights, soon after which Gen. Gage evacuated Boston. He was stationed on Governor's Island when the American army retreated out of New York, and his company covered the retreating army.

#### Ship Building in Maine.

We understand that ship-building has never been carried on so extensively in Maine as during the present season.—Many large and valuable ships have been recently launched, and many others are now on the stocks in most of the sea-port towns. And these ships are generally built of the best seasoned white oak from the Middle States, of fine models, thoroughly fastened, and finished in beautiful style.

Among the ships now in the stocks, are two at Newcastle—one of 750 tons, and another of 800 tons; these are both elegant specimens of merchant ships. At Bath, the ship Hannibal, of 650 tons, is almost ready for launching. The ship South Carolina, of 769 tons, was launched some days since, and the ship Rapahannock is almost ready for launching. This is the largest merchantman ever built in the United States. Her length on deck is 180 feet, her beam 37 feet, and her depth 23 feet 4 inches, and she measures about *eleven hundred and forty tons*! This ship is thoroughly built of Virginia white oak and Georgia pine.

[*Boston Mercantile Journal.*]

#### Prince De Joinville.

The Prince de Joinville arrived here on Friday night in the steamboat Norwich from Baltimore. On Saturday he took passage to Hampton Roads in the steamer Star, and visited the French frigate L'Armide, bearing the flag of Admiral Arnous, and returned to Norfolk at five o'clock in the evening to dine at French's Hotel.

The French merchant ship Ballochon, lying in our harbor, was decked off with flags and saluted the Star, with cheers as she came out of the dock.

The French brig of war Bisson, lying off Town Point, was also decorated with national flags in compliment to the Prince, and as the Star passed on her way down, her yards were manned, three cheers given and a broadside salute fired.

The Prince accompanied by his suite, and Admiral Arnous, who came up in an open boat from Hampton Roads, visited yesterday the United States ship Pennsylvania, Capt. Skinner, and a salute of 21 guns was fired on his leaving, which was returned by the Bisson, with the American ensign at the foremast head. He then proceeded to the Navy Yard. We learn the Prince de Joinville was to leave in the Baltimore boat of last night.—*Norfolk Beacon.*

#### A Mighty Chain of Railroad.

We learn from Batavia that the railroad thence to Buffalo will be very soon completed. On the Rochester and Auburn line but seven or eight miles remain to be finished; the cars already cross the Cayuga lake on the new bridge erected for the purpose, and will in a few weeks run over the whole line. The Boston road to Albany is nearly completed; in a very short time therefore the "last link" will be completed in the great chain from Buffalo to Boston, a distance of near *six hundred miles*! The whole world cannot exhibit a specimen of railroad enterprise to equal this. The longest one in England is not more than one-third the length of this.

John C. Spencer, Secretary of State of New York, has been appointed Secretary of War, in the place of Judge McLean, declined.

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## The Baltimore & Ohio Railroad Co.

*Fifteenth Annual Report of the President and Directors to the Stockholders of the Baltimore and Ohio Railroad Company.*

At a regular annual meeting of the Stockholders, held, pursuant to the charter, on the second Monday of October, 1841, in the city of Baltimore, the President and Directors of the Baltimore and Ohio Railroad Company submitted the following report and statements of the affairs of the company :

FIRST.—*Of the Main Stem to its present termination at Harper's Ferry; and of the Washington Branch.*

The statement marked A, exhibits the affairs of the company on the 30th ultimo; and the revenue and expenses of the *Main Stem*, during the year, ending on the same day, are shown by the statement B.

The statements C and D exhibit the affairs of the *Washington Road* on the 30th ultimo, and also the revenue and expenses on the same, for the year ending on that day.

The statements show that the general decline in the trade of the past year injuriously affected the transportation upon the *Main Stem*; and that although, for the conveyance of passengers, the revenue somewhat increased, the receipts from the transportation of produce and merchandise decreased, as compared with the previous year, \$11,312 18. This decrease will be found to consist principally in the article of flour, of which there have been transported during the past 136,831 barrels less than in the previous year; and it is believed that so great a falling off in the transportation of this article may be accounted for by the partial failure in the crops, and the consequent diminished amount destined for market. It may also be observed, that, in consequence of the low rate continued to be charged for transportation upon the Canal, the board have been unable to avail themselves, to much extent, of the increased rates authorized by the law of the last session of the Legislature.

The board have the satisfaction to state, however, that the expenses have been also considerably reduced, so that notwithstanding the falling off in the amount of transportation, the nett surplus of the present will be little less than that of the previous year.

It ought indeed to be observed, that the effects expected from the renovation of the road, and the reduction of the inclined planes; from the improvements in the moving power and machinery generally, in the passenger and burden cars, and in the department of transportation, and supervision; and from the economy introduced into the system of repairs, are only now beginning to be properly felt, and that the experience of the past year warrants the belief that the expectations entertained from these measures will be fully realized.

The ten miles of road, which, at the date of the last annual report, were in process of re-adjustment, have been thoroughly renovated; and the entire line of road from Baltimore to Harper's Ferry, having been substantially renewed, is now in a condition of greater efficiency and durability than at any previous period. In the opinion of the engineers, it will be capable of fully accommodating any increased transportation which may be expected from the extension of the road to Cumberland, for some years, without a greater expenditure for repairs than has been incurred during the year just ended.

The heaviest item of cost in the transportation upon works of this description is the expense of maintaining them in repair, and to diminish, as far as practicable, this source of expenditure has been the object of all the improvements in modern railways. While it must be admitted that a more substantial construction, and with the heavy improved rail, than has been adopted on the road between Baltimore and Harper's Ferry, is indispensable to all that is practicable on this head, it is satisfactory to perceive that even with the light and imperfect plate rail, greater economy is attainable than the board have heretofore felt themselves at liberty to promise.

Owing to the dilapidated condition of the whole line of road, the expenses of repairs amounted in the year 1837, to upwards of \$97,000. In the years 1838, and 1839, the board commenced their preparations for the renewal of part of the track with the heavy H rail, and for the renovation of the remainder upon the original plan of structure. In 1840 the cost of repairs was reduced to little more than \$85,000, and in the year just closed, in which for the first time the effect of the previous improvements could be fully tested, it amounted to the sum of \$69,095 44, being upwards of \$26,000 less than that of 1837, and more than \$16,000 less than the year immediately preceding. The repairs of the nineteen miles of the heavy H rail, not having as yet required any new material, have cost \$180 per mile; while for the ninety-two miles of old plate rail, the cost for materials is \$325 46, and for labor and superintendence \$399 per mile. It may also be stated that during the past, compared with the previous year, the actual expenses for repairs of locomotives and tenders, of passenger and burden cars, and of depots, and water stations, have been considerably reduced; and it will be seen that the aggregate reduction in the expenditure during the year for the foregoing objects, amounts to upwards of \$40,551.

The capacity of the motive power has been much improved, and adapted, without additional cost for repairs, to a considerable augmentation of business. The condition of the passenger and burden cars has likewise been improved, so as to be more efficient than at any previous period; and in each of the above branches of the service, a further diminution in the annual expenditure may be anticipated.

In addition to the above items, there has been expended during the year in the construction of new tracks, for the eight wheeled box cars, a sum exceeding \$7000, in the construction of water stations east of Harper's Ferry nearly \$8000, and for the erection of an engine house, the extension of the shop, and construction of fixed machinery at the Mount Clare depot, upwards of \$2000.

In the same period, the company has been compelled to pay for certain improvements long since introduced into use, and without a knowledge that they were protected by any existing patent; for long standing claims for right of way, which had been left unsettled at the time of constructing the road, and from damages arising from other causes, upwards of \$6000.

After these and all other expenditures, on every account, since the last annual report, the operations of the road even to Harper's Ferry—and under the disadvantage of the casual falling off in the transportation of the year—together with the receipts from the Washington Branch, shows a nett annual profit of \$135,438 86, being nearly three and one-half per cent. upon the original capital of \$4,000,000,

upon which the business has been conducted, and from which the said profits have arisen.

To those who have advanced this capital, and for a series of years submitted with unshaken fortitude to so many disheartening losses and embarrassments, the present result will be particularly gratifying. It ought also to awaken fresh hopes of the reasonable profit to be ultimately realized from the success of their undertaking; and to encourage all who desire the prosperity of this community, steadily to persevere in its further prosecution.

It is no part of the design of this report to speculate upon the increase of the profits which may be expected from the completion of the road to Cumberland, which may now so soon be realized. In justice however, to the expectations with which this great enterprise has been hitherto fostered by the public authorities, in any view in which the subject may be considered, this increase should not be overlooked. The construction of the new road west of Harper's Ferry, will be of the most approved and substantial kind; of easy grades and light curvatures, and adapted to the transportation of the heaviest materials at a far less cost than must necessarily be incurred upon a less perfect structure. The extension of the work to Cumberland will offer a practicable means of transportation for the vast mineral resources of the Alleghany region at a moderate cost, and may be expected to ensure a speedy development both of the coal and iron of that portion of the country. Nor can it be doubted that in the fertile valley between Harper's Ferry and Cumberland, important sources of business will be opened; while every material approach to the Western water; must afford new facilities to the trade and travel from the great valley of the Mississippi.

But while the acknowledged importance of the profits which may be expected to result from the further extension of the work is not to be overlooked by the individual capitalists, or by the public authorities, who will be thereby released from any interest upon their investments, it is the consideration which, in a public point of view, ought perhaps the least to be regarded. In the prompt extension of the road to Cumberland, the city of Baltimore especially has a much deeper concern than that which arises from the interest upon the capital embarked. In the immediate augmentation of her trade and commerce; in the new impulse to be given to her manufacturing and mechanical industry; in the active, profitable employment which, by means of this work, is to be given to every class of industry, and the successful competition she is destined thereby to maintain with the other Atlantic Cities for the commerce of the Western Country, Baltimore must enjoy advantages not easy to be calculated. Should these be attained without the burthen of permanent taxation, which with a slight increase of the present amount of travel and transportation will be the case, not only should some temporary inconveniences be cheerfully borne, but in their arduous and ceaseless efforts to push on the work in advance of rival enterprises, the board have a right to count upon the liberal and cordial support of the city authorities.

It has been already stated, that the nett profits of the year upon the operation of the road to Harper's Ferry amounts to \$135,000, being more than 3 per cent. upon the original capital of \$1,000,000, upon which heretofore the dividends have been declared. Upon the present occasion, however, the Mayor of the City of Baltimore, has demanded that the city should be considered as a proprietor of the stock to the amount of her subscription paid in, and in that proportion to share in a dividend of the nett profits of the present year. The consulting counsel of the company having concurred in the legality of the claim made by the Mayor, and decided in favor of the city to share in the dividend, the board have felt it to be their duty to acquiesce in the claim, rather than engage in a protracted controversy which they are advised by one of their counsel, must terminate against the company.

Under these circumstances, any dividend of the nett profits must proceed upon a capital of \$6,500,000 instead of that of \$4,000,000 actually employed; and the board have therefore determined to declare a dividend of 2 per cent. be-

ing equal to the dividend of the last year, payable on or after the 16th of November next.

On the *Washington Branch* there has been an augmentation of trade and travel, and at the same time as on the Main Stem, a steady decrease in the expenditure.

The repairs of railway on this road are nearly \$3000 less than the expenditure for the same purpose, during the preceding year; and the cost for repairing locomotives and tenders, passenger cars, and depots and water stations has diminished in the same proportion. In the repairs of burden cars alone, the expenditure for the past has exceeded that of the year immediately preceding, in consequence of the necessity of thoroughly refitting and renewing a number of the old and worn out cars.

The condition of the railway, of the locomotives and tenders, of the passenger and burden cars, and of the depots and water stations, is now as perfect as could be expected, and during the ensuing year a decrease rather than an augmentation of expenditures in all these branches of the service, except that of the passenger depot, may be anticipated.

Some improvements being indispensably required in the passenger depot at Washington, an increased expenditure for this purpose, may be expected during the current year, but it is believed the excess for this purpose will not be greater than the decrease which may be effected during the same period in the repairs of water stations.

On this road also the payments on account of unsettled claims for right of way, and other causes, have amounted in the year to the sum of \$3000.

It will be further seen from the statements, that after these expenditures, the nett profits arising from the operations of this road, during the year amount to the sum of \$104,151 73; of which the board have determined to divide among the stockholders six per cent. payable on and after the 16th day of November next.

It ought not to escape observation, that this surplus is independent of one-fifth of all money received for the transportation of passengers, which by the terms of the charter is reserved for the exclusive use of the State, and which, during the past year amounted to the sum of \$43,407. If this amount could have constituted a part of the general profits, the operations of this road, during the year, would have nett-ed to the stockholders upwards of eight per cent. upon the capital invested.

As it is, under the present provisions of the charter, the State will receive one-fifth of the receipts from passengers, amounting to \$43,407, and a dividend of six per cent. upon her shares of stock \$33,000—being more than fourteen per cent. upon her investment in this road, and added to the dividend from nett profits from the Main Stem, will yield her more than eight and a half per cent. upon her capital originally invested in both roads.

If to the other stockholders, these extraordinary advantages derived by their favored partner, may, in any view be considered extravagant, they may be consoled by the reflection, that under no circumstances is it probable, that the burthens of the State will be increased by the aid she has extended to this branch of her public works. It ought also to be considered that in the renewed confidence which these advantages are calculated to inspire, with all classes, in the public credit, this company has the deepest stake.

#### SECOND.—As to the extension of the road from Harper's Ferry to Cumberland.

Should nothing occur to deprive the board of the resources appropriated to this portion of the work, it may be entirely finished and the road put into operation to Cumberland, as was stated in the last annual report, in the summer and autumn of 1842.

The progress of the *Graduation, Masonry and Bridging*, since the date of the last annual report, has been as favorable as was at that time anticipated; and may be best shown by reference merely to the jobs yet remaining unfinished.

The partial re-construction of the *Harper's Ferry Viaduct* an inconsiderable part of the work upon the section of the road at that place; a small portion of the bridge masonry

and superstructure of the *Opequon* and of the bridge superstructure at *Sleepy Creek* only remain to fit the road bed for the railway structure from *Harper's Ferry* to *Hancock*, a distance of  $42\frac{1}{2}$  miles. These jobs may all be accomplished within the next three months.

From *Hancock* to *Cumberland* a distance of 54 miles, the unfinished work consists of part of the bridges at the Great and Little *Cacapon*, both of which may be completed in the month of December next. Of the arching of the Doe Gulley Tunnel, and the removal of a few feet in depth of the cutting at the bottom of the eastern approach to the Tunnel, and of some rock slips; of the arching of the Tunnel at the Paw Paw Ridge, a portion of the viaducts, and their superstructures over the North and South Branches of the Potomac, and also of a part of the heavy sections at the North and South branches, and at Kelly's rocks, all of which may be readily accomplished in season for opening the road to *Cumberland* within the time already indicated.

Besides these a few light sections and three small bridges, which may be completed within the ensuing three months, are all that remain to be finished; so that by the first of January 1842, the *graduations, masonry and bridging* of the entire line from *Harper's Ferry* to *Cumberland*, may be completed and ready for railway structure.

The amount necessary to complete the *graduation, masonry and bridging* to *Hancock*, is \$40,000, and thence to *Cumberland*, \$85,000, together \$125,000, being only 1-14 part or 7 per cent. of the estimated cost of the whole line.

Contracts for the iron rails for the entire road have been entered into in London at the low rate of £85 per ton; and upon terms which it is believed will enable the company to make payments from the sale of the State Bonds in the hands of the Messrs. Baring, and without a sacrifice. Eight hundred tons of the rails have already been delivered in Baltimore; more shipments are now on their way, and the delivery of the whole may be expected in season for the earliest completion of the road.

Contracts have also been made for the iron fastenings and timber, and for the ballasting and laying down the track, at prices considerably below the estimated cost; the preparation of the ballasting, and delivery of the fastenings, have progressed satisfactorily, and with the requisite speed; and ten miles in length of the wooden structure of the track between *Harper's Ferry* and *Hancock* have been already laid down, ready for the reception of the rails and their fastenings.

Sites for the water stations throughout the whole distance have been selected, upon favorable terms. The superstructures of those east of *Hancock* are in a forward state, and may be completed before the 1st of January next.

The contracts for the delivery of materials for the track were made with the intention of opening the road to *Hancock* if practicable, on or before the first of January, 1842, and to guard against contingencies the delivery of an extra quantity of lumber was provided for. The hope of accomplishing so important an object, has not until recently, been abandoned. It has been discovered, however, that from the inefficiency of some of the contractors, and difficulties of procuring suitable timber experienced by others, and in consequence also of the extraordinary drought which interrupted the operations of the saw mills, and prevented the possibility of rafting upon the various streams and rivers, the necessary supply of timber will not be furnished during the present season. From these causes and the unsuitableness of the winter season for such operations, the opening of the road to *Hancock* may be postponed until the month of May next.

The causes which have produced this delay east of *Hancock*, will not operate west of that point, and no failure in the delivery of all the requisite materials within the period assigned for completing the work to *Cumberland* is apprehended.

Preparations have also been made, and upon terms less than the cost originally estimated, for the necessary moving power, and for the construction in the company's shops of the machinery which will be required for the operations of the road from *Cumberland*, and no doubt can be entertained that these will be all provided in due season.

By the terms of all the contracts for laying the track and for materials of all kinds excepting the iron rails, and a few others amounting together to \$55,000, the board have reserved the option of making payment in the stock orders of the company, or in the six per cent. stock of the city of Baltimore at their par value.

According to the last revised estimate made on the 4th inst. and based upon the large amount of work already done, and upon a knowledge of the actual contract prices for the remainder, the cost of the entire work, including *graduation, masonry, bridging and railway, water stations, right of way, depots and machinery* of all kinds, is estimated at \$3,335,856.

This last revised estimate is therefore less in amount than the estimate of November 14th, 1839, by \$38,755;—and less than that of 14th February, 1838, by \$225,524.

The estimate of the 14th February, 1838, formed the basis upon which the instalments upon the subscription of \$3,000,000, by the city of Baltimore were demanded and in great part paid; but as the recent estimate of the 4th inst. contains work amounting to \$95,000 more than was included either in the estimate of February, 1838, or in that of November, 1839, the last estimate in fact falls short of both those of an earlier date by \$133,755, and \$320,524, respectively.

The resolutions of the City Councils directing the Mayor to subscribe the sum of \$3,000,000 to the capital stock of the company provided that the whole sum should be exclusively applied to the prosecution of the work in an unbroken line from *Harper's Ferry*; and therefore until the whole of the city's subscription should be exhausted; it might be questioned whether the board were authorized to apply any other part of their resources for that purpose.

By an ordinance subsequently passed, directing the Mayor to subscribe, the city agreed to pay the amount in instalments of not more than \$1,000,000, in any one year. The agreement on the part of the city was to pay the instalments in money, and by the same ordinance the Commissioners of Finance were directed to borrow on the credit of the city the sum of money necessary to meet the payment of the instalments, and a stock bearing an interest of six per cent. was created, and a provision made for levying the necessary tax to pay the interest. No limit was prescribed at which the stock should be sold; and upon the demand of the company, the instalment must in good faith have been paid by a sale of the stock upon the best terms that could be obtained.

To comply with their own obligation, and to enable the Commissioners of Finance to perform the duty prescribed by these ordinances, the city councils proceeded to levy a tax to provide for the interest upon the loans, thereby clearly indicating a wish and intention that the work be commenced and prosecuted with the utmost despatch. In all these proceedings, the board could see only an instruction from the city authorities to act without delay. The immediate prosecution of the work was deemed of no less importance by the public at large, every day's delay being considered as injurious to its welfare, and tending to strengthen the rival interests of other communities. Notwithstanding the liberality, in amount, of the city's subscription, however, its adaptation to the end proposed was attended with many difficulties.

Thus instructed and urged forward, the board, in July, 1839, consented to enter into contracts and commence the work, upon the condition, that the city would advance in money—to be raised by aid of the banks—the sum of \$500,000 in part of her subscription; and upon arrangements being made for that purpose, the road was commenced and vigorously prosecuted.

When it became necessary to require payment from the city of a further instalment, which must have been raised by the sale of her stock, the banks south of New York had suspended specie payments—the value of all public securities at home and in Europe had become greatly depressed, and the obligation of the city to pay in money could only have been complied with at a considerable sacrifice.

Neither the city authorities nor the public had lost any of their zeal for the prompt completion of the road. Indeed, to the city and the community liable to taxation, it had acquired

a new importance from the fact that the loan of half a million of dollars already obtained from the banks would remain a burthen and dead loss until the work could be carried to its termination. Under these circumstances, a suspension of the work could not be thought of, if it could be possibly avoided. The only legitimate resource applicable to this part of the road was the city subscription; and to apply this with the least possible loss, became an imperative duty. In this crisis, to relieve the city authorities from the dilemma, to avoid any loss upon the stock, to husband their resources, and at the same time to push forward the work, the board resolved, to receive from the city, from time to time, if it should deem it expedient for its purposes, the 6 per cent. stock at par in payment of her subscription. They also proposed to the contractors and others furnishing the company with the necessary labor and materials, to receive payment in the funded debt of the city, at par, instead of money. To this they consented, provided adequate portions of the stock should be so divided as to meet their purposes in distributing it to pay the laborers and meet demands growing out of their private engagements. To effect this end, the scheme of issuing stock orders fundable in the six per cent. stock, at par, was devised, and was carried into effect accordingly; and by these means, and, to some extent, by the direct payment of the city stock, the work has been prosecuted—and in a shorter time than even the most sanguine could have anticipated,—to its present termination. That the public at large have derived and still do derive great benefit from these stock orders, which the circumstances of the times have rendered a circulating medium, will be admitted. The banks having in 1839 for the second time in two years, suspended specie payments, these orders have supplied the necessary purposes of the retail trade, of so much importance in the aggregate, with an easy and secure currency, and at the same time measurably relieved the community from an amount of tax, which had the subscription of the city been paid in money, would have been imposed upon the citizens. And it is no more than just to remark, that on these grounds the chief advantage in the extensive circulation of the orders must result to the city and the community rather than to the company issuing them, whose original design and purpose would have been better answered if they could have been speedily funded in the city debt.

Of these stock orders, of all denominations, there have been issued by the commissioners of stock up to this date the sum of \$1,419,051—and of these, \$13,712 have been funded. For the entire sum so issued, city stock has been transferred to the commissioners in trust for the holders of the orders.

It is understood, however, that in the minds of some, an apprehension is entertained that this amount is greater than the ordinary demands of circulation require, and appeals have been made to the board to stop any further issue, or to adopt some other means by which a depreciation in their par value may be prevented.

The ultimate security of the orders, based as they are upon the stock of the city, cannot be questioned; and the holders may at any time acquire their value, and six per cent. interest thereon, by funding them in the stock which they represent. The board, however, notwithstanding the importance they attach to the prompt completion of the railroad, now so far advanced, to *Cumberland*, and their just claim upon the cordial co-operation of all interests in the city of Baltimore to this end, are not insensible to the obligation of preventing as far as their intervention can prevent, any depreciation in the value of these orders, arising from any excessive issue.

It is understood that the regular circulation of bank paper, even under the specie standard, was not much short of \$2,300,000, and that from various causes, it is now reduced to \$1,000,000, and in fact for purposes of small circulation, the banks can do nothing whatever. Indeed, to obviate this difficulty the board, upon the special application of the City Councils, were induced to increase their circulation by the issue of orders below the denomination of one dollar.

It has been supposed also that the enlarged trade which has been brought to this city by the expenditure on account

of the *railroad*, would, of itself, require a considerable increase beyond the ordinary circulation, and that these orders, safe as they are from the ordinary casualties attendant upon irresponsible paper; might be advantageously allowed to take the place of the various individual issues which were previously in circulation. From all these causes, it was hoped, that the present amount might be paid out without materially, or if at all affecting their value; and at all times, down even to the present period, the contractors have not only been willing, but anxious to receive even more than it has been deemed expedient to give them.

It is taken for granted that no one supposed that the redemption of these orders in money forms any part of the company's obligation. Unlike bank paper they are issues from which the members of the board individually derive no profit nor any pecuniary advantage whatsoever, but on the contrary in common with their fellow-citizens must share any depreciation in their par value.

They were issued to enable the *City of Baltimore* to pay her subscription, and promptly finish the work to *Cumberland*, without a sacrifice of her stock, and at a considerable saving of interest, and consequent exemption from the necessity of taxation. The obligation of the company is on the face of the orders; and in each annual report, and in various ways, has always been distinctly announced; to fund them in city stock at par; with the additional engagement to receive them at par in all debts due to the company.

These promises will be complied with in good faith and to the fullest extent; and though the orders may depreciate never so low, the company will continue to receive them at par. Any loss which may, in this way, be sustained by the company, it is not doubted will be cheerfully borne in consideration of the vast advantages which, by the early completion of the work, will be conferred, not only upon the stockholders, but upon every citizen of this community.

If the board could now incur a new and farther obligation, never at any time contemplated, and undertake to redeem the orders in money, they could not redeem a part only for the benefit of a few without comprehending the whole; and for such purpose it is apparent that the company have no means at their disposal; neither the subscription by the city nor that by the State, under existing laws and ordinances, being applicable to that object. Even the amount of interest upon the stock, which has been saved by the issue, has accrued to the benefit of the city treasury, and not to the company.

By an arrangement with the city authorities, these orders are receivable in payment of all taxes and other dues to the city, which are understood to amount annually to not less than \$500,000. The revenue of the Railroad Company also daily amounts to upwards of \$1,500, and in the year to upwards of \$600,000.

It is confidently hoped that, by limiting the amount of the issues, even if the present sum shall by any be deemed too great, an amount will be constantly absorbed, sufficient to prevent any injurious depreciation.

The board have come to the determination not at present to increase the issue of the stock orders, beyond \$1,500,000; and in future to act in conjunction with the city authorities in the adoption of any practicable means by which a less amount may be definitively limited, and thereafter gradually reduced, or for devising other means to sustain the value of the orders.

If, in these efforts the board be seconded,—as they have a right to expect, by the public authorities, and other institutions, and by their fellow-citizens generally, whose business and prosperity are so vitally interested in the great enterprise in which the board are engaged, they do not doubt that the present temporary cause of uneasiness will subside and the orders be maintained at their intrinsic value.

It cannot be doubted that the people of Baltimore may do much to sustain or depress the standard of these orders,—to quiet or spread alarm,—without regard to their real value; and it is not less doubtful that efforts which may succeed in bringing them into disrepute, will not only supply their place with a circulation less entitled to support, and more exposed to ultimate loss, but will also seriously retard



if they do not suspend the prosecution of a work upon which the trade of the city so much depends.

It will be at once perceived that to enable the board to carry on the work, and continue the limitation they now propose to assign to the amount of the issue of orders, and ultimately to reduce the circulation within a still more narrow limit, the application of the resources specially appropriated to the extension of the work from Harper's Ferry towards Cumberland must be essentially changed.

This great work has hitherto been pushed forward by the application of the city stock, in one form or other, at par; while most of the other principal works of internal improvement have been partially or altogether suspended. It is now within less than a twelvemonth,—and at a comparatively inconsiderable expenditure—of its completion to Cumberland, and within seven months of its extension to Hancock, and from either of these points, it is to yield a profit upon the capital, and greatly invigorate the trade of the city. Payment for much of the work remaining to be done, and for materials to be furnished may be made by the direct application of the city stock at its par value, and this mode as far as it can be done advantageously, may be continued, but it is at the same time obvious that, independently of this resource, to prevent a suspension of the work in its present unfinished state, a considerable amount of current funds will be needed.

In this emergency it becomes the duty of the board to continue to look to the subscription by the city as the only resource; not merely because it is specially pledged and appropriated to this part of the work, but because an attempt to make sale of the State bonds in the existing crisis, would be hopeless, unless at a sacrifice ruinous to the company and to the public. While, therefore, the board will hereafter, as heretofore, consult the convenience of the city authorities, by continuing to receive the stock at par in such amounts as can be directly applied in payment, it will be necessary, nevertheless, to require in money, or some equivalent to it, such further instalments as may be required to prevent a suspension of the work.

Nor is it doubted that a requisition for this purpose may be made of the city, in such manner, and upon such terms as will reconcile it both to her inclination and ability to comply.

It appears in the foregoing report, that in addition to the amount of interest returned to her treasury, upon the stock represented by the orders and not funded, the city has claimed, and been allowed to share in the dividends of profits earned by the employment of the old capital, and by the operations of the present road. Her share of the dividend will amount to \$60,000, and with the interest heretofore returned, will exceed the sum of \$100,000. By these means she will possess the present ability to pay in money an instalment sufficient, within a few thousand dollars, to complete the unfinished graduation, masonry and bridging to Cumberland.

The board also entertain the hope that the amount annually collected to provide for interest upon her subscription of \$3,000,000 but which will not be required for that purpose, may be conveniently contributed towards the payment of such further instalments in money as may be necessary to finish the road.

By order of the board,  
LOUIS McLANE, President.

October 11th, 1841.  
A.  
The Baltimore and Ohio Railroad Company, October 1, 1841.  
Dr.

Stock in the Washington Branch Road.....	\$1,032,600 00
Cost of road to Harper's Ferry .....	\$3,465,048 79
Real Estate and Depots. . . .	266,156 86
Locomotives, Horses, Mules, and Harness, Passenger and burden Cars.....	268,794 35
	4,000,000 00

Cost of Road west of Harper's Ferry.....	2,053,532 66
John I. Donaldson and Fielding Lucas, Jr., for this amount of city six per cent. stock, placed in their hands for the redemption of the stock orders.....	1,500,000 00
Baring, Brothers & Co., Lon.	3,181,052 59
Interest on State bonds.....	1,123 80
City six per cent. stock on hand.....	242,616 48
Bills receivable .....	1,234 92
Expenses of stock certificates of the State, to be refunded by the Commissioners of Loans.....	1,711 40
Cash in the hands of disbursing officers .....	940 73
Cash on hand .....	240,445 75
	\$12,260,258 33

Cr.

Loan at six per cent. for the purpose of taking stock in the Washington Road...	\$1,000,000 00
Stock.....	\$4,000,000 00
Less instalments unpaid....	257 50
	3,999,742 50
Stock orders issued.....	1,408,051 33
Due the Washington Branch Road.....	126,640 14
Loans from banks on city stock on account of the city of Baltimore.....	219,148 00
Bills payable—notes for insurance on Iron from England.....	3,948 36
City of Baltimore.....	2,219,979 69
State of Maryland five per cent. sterling bonds.....	3,200,000 00
Premiums on sterling bills..	2,588 79
Interest on city stock .....	6,916 97
Revenue.....	392,948 23
Less expenses, repairs and interest .....	319,705 68
	†73,242 55
	\$12,260,258 33

Office of the Baltimore and Ohio Railroad Company, October 1, 1841.

J. J. ATKINSON, Secretary.

B.

Statement of the Revenue and Expenses of the Baltimore and Ohio Railroad Company, on account of the Main Stem of the Road, for the year ending the 30th of September, 1841.

The amount received for the transportation of passengers and merchandise, for the year ending the 30th of Sept. 1841, is..	\$391,069 37
And the expenses for the same period are as follows, viz :	
Expenses of transportation, including fuel, salaries of superintendent, agents, conductors, &c. &c.....	\$107,207 64
Repairs of the road.....	69,095 44
Carried forward .....	\$176,303 08
	\$391,069 37

† To this amount is to be added the dividend due the Main Stem from the Washington Branch Road, viz: \$61,956, and which will make the nett revenue \$135,193 55.



Brought forward .....	\$176,303 08	\$391,069 87
Repairs of depots .....	5,485 82	
Repairs of water stations...	748 31	
Repairs of passenger cars ..	7,110 90	
Repairs of burden cars.....	17,783 17	
Repairs of locomotives.....	20,640 64	
Repairs of bridges.....	584 35	
Construction of new burden and passenger cars .....	9,766 16	
Construction of new water stations and engine houses; improvements at depots at Mount Clare, Frederick, Harper's Ferry and the city blocks; settlement of an old claim for right of way, &c.....	11,850 23	
Office and incidental ex- penses, including salaries, house rent, &c .....	10,966 35	
Making .....	261,239 01	
And showing the earnings of the road for the year to be .....	\$129,830 86	
The interest paid during the year on account of the loan created for the pur- chase of stock in the Wash- ington Branch Road, amounts to.....	56,328 00	
And the dividend to be re- ceived from said road....	61,956 00	
The difference is .....	5,628 00	
Showing the nett revenue for the year to be	\$135,458 86	
Office of the Baltimore and Ohio Railroad Company, Oc- tober 1st, 1841.		
J. J. ATKINSON, Secretary.		
C.		
WASHINGTON BRANCH RAILROAD, } October 1st, 1841. }		
DR.		
Cost of road, real estate, engines and cars.	\$1,652,463 25	
Cash in the hands of disbursing officers...	56 34	
Due by the Baltimore and Ohio Railroad..	126,640 14	
	\$1,779,159 73	
CR.		
Stock.....	\$1,650,000 00	
Annuity at 5 per cent.....	25,000 00	
Dividends unpaid.....	8 00	
Revenue .....	\$231,700 53	
Less state's bo- nus, one-fifth of receipts from passen- gers .....	43,407 21	
Expenses, Re- pairs and In- terest.....	84,141 59	
	\$127,548 80	104,151 73
		\$1,779,159 73
Office of the Baltimore and Ohio Railroad Company, Octo- ber 1st, 1841.		
J. J. ATKINSON, Secretary.		

D.	
<i>Statement of the Revenue and Expenses of the Washing- ton Branch of the Baltimore and Ohio Railroad, for the year ending the 30th of September, 1841.</i>	
The amount received for transportation of passengers and merchandize, for the year ending the 30th of September, 1841, is..	\$231,700 53
And the expenses for the same period are as follow, viz:	
Bonus to the State, 1-5 of the receipts from passen- gers.....	\$43,407 21
Transportation, including fuel, salaries of the Super- intendent, Agents, Con- ductors, &c. &c.....	30,905 17
Repairs of the Road.....	23,796 48
Repairs of depots and water stations.....	435 62
Repairs of passenger cars..	4,487 76
Repairs of burden cars...	4,592 37
Repairs of Locomotives...	7,972 91
Interest on the Elkridge Landing Bridge annuity.	750 00
Office and incidental expen- ses, including house rent, salaries, &c.....	6,872 68
Construction of tonnage de- pot at Washington,....	2,153 70
Construction of new burden cars.....	1,100 00
Settlement of old claim for right of way and damages	1,075 50
Making.....	127,548 80
Showing the nett revenue of the road to be	\$104,151 73
Office of the Baltimore and Ohio Railroad Company, Octo- ber 1st, 1841.	
J. J. ATKINSON, Secretary.	
<i>Balt. American.</i>	

Something for Ornithologists.

We were yesterday shown one of the most singular and  
outré specimens of ornithology which we ever saw. It was  
a bird resembling in point of shape and color of plumage, an  
owl. The face, however, had an animal appearance, and  
looked much like that of a baboon; the claws, feet and legs  
too were foreign to the usual construction of those of an owl,  
resembling those of a hen. The bird was shot a few days  
ago on Petit's Island.—U. S. Gazette.

There is now in Wilmington, (N. C.) a strange bird of  
the owl species, which was disabled by a shot and taken  
alive on the sea shore, about eight miles from town. No one  
about here has ever seen an owl of the kind, nor does Au-  
dubon in his ornithological work give any account of such.  
Its face, like the one spoken of above, strikingly resembles  
that of a baboon, and its feet and legs have no feathers like  
our common owls, but have a few hairs only, and are in ap-  
pearance very much like hens feet. Its back and the up-  
per part of its wings are grey, spotted with white, the breast  
yellow, the face and under portion of the wings of a dirty  
white.—Wilmington (N. C.) Chronicle.

Snakes.

The editor of the Concordia (Louisiana) Intelligencer  
says: "Louisiana is a delightful country, but very snaky.  
Our office and sleeping room are so near to, that they may  
be said to be inside of a cotton field. Every night on going  
to rest we have to shake the snakes out of the bed; we con-  
sider it amusement to kill three or four before getting to  
sleep. What makes us write about snakes is that we have  
just been disturbed by a long garter crawling over the table,  
making rather free with our newspapers. We have an idea  
of setting up a snake museum."

### The Western Railroad Accident.

The Westfield (Mass.) Spectator, published in the vicinity of the disaster, says:

"The accident took place about one o'clock in the afternoon, 7 miles west of this place, in a deep stone cut, so circuitous as to render it impossible for the engineer to see ahead but a few rods. The road had just been completed through the summit, and the regulations of the cars were not perfectly established. The train from the east arrived here at the usual hour, fifteen minutes past 12 o'clock, where it was expected the train from the west would meet it, and after waiting fifteen or twenty minutes passed on, causing the sad result which we have to communicate.

"Both trains were under the greatest speed when the concussion took place—jointly proceeding at the rate of sixty miles per hour—the western train, from the advantage of the grade under much the greatest speed, escaping with the least injury. The engines of both trains and the tenders, with the passenger cars immediately attached to them, were thrown into a total mass of ruins. Of the passenger car attached to the engine of the train proceeding west, not a vestige was left upon the wheels but the heavy timbered frame work, the whole body being shattered into atoms leaving nothing except the tin roof and the window frames of the sides, which were separated and thrown several feet ahead of the running part of the carriage. All the passenger cars were considerably injured, the rear ones most fortunately escaping total destruction.

"It would seem from the inextricable juxtaposition into which the cars were thrown, that not a passenger could have escaped with his life. But, most miraculously, not a life was lost, though some 15 or 20 were dragged from the ruins in a most horribly mutilated condition—the number receiving more or less injury amounting, we should judge to about 40—the whole number of passengers probably rising 100.

"But the most distressing and heart-rending scene was exhibited at the depot of this place, where the wounded were mostly brought for attendance. As the baggage car containing the bodies of the wounded came roiling silently along, propelled by no other power than that of a few men, a death-like stillness pervaded the crowd of spectators which had assembled to witness the scene. To witness the bleeding, groaning and agonizing sufferers, was indeed a melancholy spectacle—one which we hope to be spared witnessing again. We give below the names of those who were seriously, considerably, and slightly injured, so far as we were enabled to procure them.

"Mr. Edwin Brewer of this town, a most worthy citizen, so seriously that his life is despaired of—his lower limbs most seriously fractured and his stomach and lungs so much injured as to cause a severe hemorrhage of blood. He was conversing with Mr. Root, the postmaster of this place, who was accompanying him to Pittsfield, and probably escaped the same fate by jumping from the cars—receiving only a slight injury.

"Rev. Thomas M. Clark, of Boston, considerably injured—Mr. Clark was chaplain to the State Senate last winter.

"Rev. Charles Lee, of Lowell, not seriously—a gentleman of considerable notoriety as an abolitionist in this State.

"A Rev. Mr. Horton, from Rhode Island, considerably.

"Mr. Rufus S. Payne, of West Springfield, Ireland Parish, badly injured.

"Rev. Mr. Porter, of Boston, not seriously.

"Col. H. Chapin, of Springfield, not seriously.

"A Mr. Boyd, of Portland, Me. seriously.

"Mrs. William Bloodgood, of Albany, with a family of six children, quite seriously injured. She is a near relative of Major Whistler, the chief engineer of the road.

"John Remington, of Becket, Mass. seriously.

"Shem Loomis, of Southwick, considerably.

"A Mr. Watson, of Blanford, seriously.

"Mr. Warren, conductor of the train proceeding east, died about 8 o'clock this morning.

"J. Gordon Blake, a lad of Boston, seriously.

"There were three or four lads and four or five ladies severely injured, and two or three firemen or engineers.

"One female was severely scalded on the hand, and otherwise severely injured. We believe that from six to eight of the sufferers must die from the injury received by the concussion.

"Upon whom falls the blame we are unable to say—whether upon the directors or the conductors of the train. The conductor, Mr. Moore, avers that he obeyed the instructions of the directors: if so the public should not hold him amenable. The train of which he had charge waited here, which was the place for the trains to meet, twenty minutes, and then proceed on. The conductor of the train proceeding east arrived at Chester Village Depot, and waited ten minutes, when it left. Both conductors acted in accordance with their instructions; the result is such as we have presented."

A private letter from Westfield, dated on Friday says: "Of the forty persons said to be injured, three are dead—a Mr. Brewer, Mr. Warren, the conductor, and a child of Mrs. Bloodgood. There is another child of Mrs. B. that will probably die, and a third one very dangerously hurt."

### Great Storm at Utica.

This city and its vicinity were yesterday (Friday) visited by the most severe and extraordinary hail storm I ever witnessed, or that has occurred here at any time within the recollection of the primitive settlers of the city. Indications of a severe shower began to exhibit themselves from the east between 2 and 3 P. M., and in the space of half an hour the entire horizon changed its complexion, from brilliant sunshine to the darkness of the blackest thunder cloud. After a preliminary flash of lightning or two, "the windows of heaven opened," and then descended such a fall of hail as was indeed serious to look upon. Not a stone fell that was not as large as an ordinary hickory nut, and but few exceeded the size. The almost perfect uniformity of their size was the greatest wonder about the storm; yet the tremendousness of the fall was almost frightful. There was but little wind at the time, fortunately, or not an unprotected pane of glass would have been left in the eastern windows of a single house in the city. In perhaps five minutes the fall abated, the wind chopped round to the north, and the hail lay on the ground to the depth of two or three inches. Presently, however, the storm resumed its fury, and the north pelted us quite as fiercely as the east had, and for thrice the length of time—leaving on the ground three or four inches of hail. In the course of some twenty minutes, however, the hail gave way to rain, which continued falling an hour or more, melting and sweeping away the remains of the icy visitation. A vast quantity, however, still remains on the ground, with a prospect of more rain.—*N. Y. Sun.*

### Chicago.

The wheat trade which concentrates at Chicago is steadily increasing in importance. The American, of that city, speaking of the number of wagons laden with wheat which are arriving there from the interior, says:

Teams a short time since came from a distance of one hundred and fifty miles, which we thought of itself was doing very well. Soon after, we found to our great amazement that they were coming in from a distance of two hundred miles, and they now come in from sections of country two hundred and fifty miles off, and bearing south, south-east, and south-west. This absolutely makes us the market at this very time of about one-half the State of Illinois, a large portion of Indiana, and a very considerable part of Wisconsin.

### Rhode Island Coal.

We rejoice to learn that the coal obtained from the mine near the north end of this island improves in quality as the excavation proceeds, and that the quantity raised is sufficient to supply a moderate demand. Another company, we are pleased to hear, is about to commence the mining operations somewhere in the neighborhood of the mine now open. We earnestly hope that all concerned in the business may meet with good success.—*Rhode Islander.*

A SUMMARY STATEMENT

Of the quantity and value of goods, wares, and merchandise, the growth, produce, and manufacture of foreign countries, exported from the United States, commencing on the 1st day of October, 1839, and ending on the 30th day of Sept., 1840.

SPECIES OF MDZE.	Quantity.	Value.	SPECIES OF MDZE.	Quantity.	Value.
MERCHANDISE FREE OF DUTY.			Blankets, not above seventy-five cents ea. h. ....	....	\$653
Brimstone and sulphur. ....	....	\$461	Above seventy-five cents each. ....	....	27,445
Bark of the cork tree. ....	....	2,000	Hosiery, gloves, mits and bindings	....	7,368
Rags of any kind of cloth ....	....	210	Other manufactures of wool. ....	....	9,098
Undressed furs of all kinds. ....	....	53,962	Woollen yarn. .... pounds	120	180
Hides, raw ....	....	406,234	Worsted yarn ....	....	4,088
Barilla. ....	....	2,431	Manufactures of cotton—		
Wood, dye. ....	....	564,707	Dyed, printed, or colored. ....	....	838,553
Unmanufactured mahogany and other. ....	....	64,176	White ....	....	183,468
Animals, other than for breed. ....	....	200	Hosiery, gloves, mits and bindings	....	13,632
Tin, in pigs and bars ....	....	16,168	Twist, yarn, or thread ....	....	53,030
In plates and sheets ....	....	15,236	Nankeens, direct from China ....	....	5,630
Copper, in pigs and bars ....	....	32,390	Other manufactures of cotton. ....	....	9,176
In plates suited to the sheathing of ships ....	....	37,652	Silks from India, China, &c.—		
Old, fit only to be re-manufactured ....	....	7,952	Piece goods ....	....	649,323
Bullion, silver ....	....	47,689	Hosiery, gloves, mits and bindings	....	2,775
Specie, gold ....	....	1,468,300	Sewing silk. ....	....	775
Silver ....	....	4,665,952	Other manufactures of silk ....	....	955
Teas, orig'ly imp'd from China lbs.	3,120,692	1,358,044	Silk, sewing, from other places. ....	....	40,834
Coffee ....	8,698,334	930,398	Lace, thread, and cotton ....	....	18,144
Cocoa ....	1,613,202	146,901	Flaxen goods—dyed and colored, linen checks, &c. ....	....	72,669
Fruits, Almonds ....	87,333	13,236	Other manufactures of flax. ....	....	1,112
Currants ....	19,495	2,466	Hempen goods—sail duck. ....	....	62,383
Prunes. ....	23,747	2,585	Other manufactures of hemp ....	....	1,765
Figs ....	85,521	2,910	Hats and bonnets—		
Raisins, Muscatel. ....	630,728	47,283	Leghorn, chip, straw, &c. ....	....	70,815
Other. ....	87,204	3,641	Fur, wool, and leather. ....	....	922
Spices, mace ....	2,892	3,337	Manufactures of iron and steel—		
Nutmegs ....	2,528	2,398	Side arms ....	....	1,104
Cinnamon. ....	14,703	19,835	Fire arms, not specified ....	....	7,078
Cloves ....	43,589	9,834	Vices. ....	....	9
Black pepper ....	2,869,540	216,430	Scythes. ....	....	108
Pimento. ....	1,096,719	57,348	Spades and shovels. ....	....	43
Cassia ....	142,063	17,842	Other articles ....	....	60,866
Ginger. ....	5,874	401	Manufactures of Copper ....	....	514
Camphor ....	38,918	39,190	Brass ....	....	3,984
Silks, other than India—lace veils, shawls, shades, &c. ....	....	25,550	Wood—cabinet ware ....	....	1,925
Other manufactures of ....	....	292,270	Other articles ....	....	2,418
Manufactures of silk and worsted. ....	....	24,994	Leather. ....	....	14,168
Camlets of goat's or camel's hair. ....	....	54,134	Marble. ....	....	582
Worsted stuff goods. ....	....	351,685	Gold and silver, precious stones, set or otherwise. ....	....	16,336
Linens, bleached and unbleached. ....	....	22,833	Watches, and parts of ....	....	6,628
Ticklenburgs, osnaburgs, and bur-laps ....	....	139,366	Glass ware, cut and not specified, paying 30 per cent., and 3 cents per lb. .... lbs.	3,262	698
Sheeting, brown and white. ....	....	3,050	Plain and other, paying 20 per cent. and 2 cents per lb. ....	4,990	305
Bolting cloth ....	....	10,902	Other articles of glass, paying a duty of 20 per cent. ....	....	13,436
Quicksilver. ....	....	12,658	Wares—China and porcelain ....	....	1,727
Opium. ....	....	14,040	Earthen and stone. ....	....	62,027
Crude saltpetre ....	....	1,172,919	Plated, not specified ....	....	280
All other articles ....	....		Gilt ....	....	3,574
Total. ....	....	\$12,384,503	Japanned ....	....	336
MERCHANDISE PAYING DUTIES AD VALOREM.			Saddlery—common tinned and japanned ....	....	375
Manufactures of wool—			Plated brass and polished steel. ....	....	1,838
Cloths and cassimeres ....	....	266,571	Carriages, and parts of. ....	....	250
Merino shawls of wool ....	....	36,048	Slates of all kinds. ....	....	510

TABLE CONTINUED.

SPECIES OF MDZE.	Quantity.	Value.	SPECIES OF MDZE.	Quantity.	Value.
Quills prepared .....	....	\$515	Cheese .....lbs.	56,282	\$5,840
Paper hangings .....	....	1,332	Soap .....	9,814	522
Hair-cloth and hair seating .....	....	563	Tallow .....	494,223	47,168
Brushes of all kinds .....	....	182	Beef and pork.....	383,372	10,562
Raw silk.....	....	200,239	Saltpetre.....	584,886	34,816
Indigo .....pounds.	132,048	179,210	Epsom salts.....	450	18
Wool unmanufactured, exceeding eight cents per pound..pounds.	85,528	26,246	Tobacco, manufactured, snuff. "	545	143
Value of merchandise not enume- rated, at 5 p. c. ....	....	2,928	Cigars ..... M.	4,692	57,316
Do do 12 do ....	....	708	Other than snuff and cigars.. lbs.	1,976	237
Do do 12½ do ....	....	589	Cotton.....	2,632,914	212,589
Do do 15 do ....	....	190,323	Bristles.....	1,280	1,720
Do do 25 do ....	....	73,329	Ochre, dry .....	15,480	309
Do do 30 do ....	....	3,828	Red and white lead .....	58,575	4,230
Do do 50 do ....	....	13,205	Lead, pig, bar and sheet .....	769,085	34,090
Total .....	....	\$3,271,728	Cordage, cables, and tarred... "	1,358,174	98,747
			Untarred, and yarn . "	86,567	5,240
			Twine, packthread, &c. ....	18,182	2,021
			Corks .....	6	3
			Copper nails and spikes.....	1,597	366
			Fire-arms, muskets.....No.	7,252	23,324
			Rifles .....	30	377
			Iron nails .....	17,345	1,584
			Cables and chains, &c. ....	1,104	104
			Anvils.....	1,070	91
			Castings, other than vessels.. "	181,644	8,022
			Round iron, as braziers' rods, &c. ....	8,840	260
			Sheet and hoop.....	194,272	6,811
			Old and scrap.....cwt.	604	2,157
			Bar, manufactured by rolling . "	7,858	26,603
			otherwise "	4,133	17,544
			Steel .....	4,531	33,961
			Salt.....bush.	31,999	11,525
			Coal .....	152,987	38,437
			Paper, folio and quarto post.. lbs.	718	300
			Foolscap, drawing, and writing.....	172,813	25,591
			Sheathing, binders', &c. "	39,857	6,734
			All other .....	2,632	760
			Books, printed in other lan- guages than English, Latin, and Greek .....	2,419	4,679
			All other, bound..... lbs.	616	1,024
			Perfumery and fancy vials, not above 4 oz. each .....	36	673
			Demijohns.....No.	16,658	8,277
			Bottles, black, not above one quart. ....	581	2,748
			Exceeding one quart "	....	....
			Window glass, not above 8 by 10 inches.....100 sq. ft.	63	340
			Above 8 by 10, and not above 10 by 12 inches . "	81	541
			Above 10 by 12 inches... "	28	190
			Fish, dried or smoked ...quintals.	400	1,202
			Salmon.....barrels.	19	282
			All other .....	1,138	4,740
			Shoes, leather, kid, and mo- rocco .....	192	80
			Total value of merchandise pay- ing specific duties .....	....	\$2,534,081
			Do. ad valorem duties .....	....	\$3,271,728
			Do. free of duty.....	....	\$12,384,503
			Total value.....	....	\$18,190,312
MERCHANDISE PAYING SPECIFIC DUTIES.					
Flannels.....sq. yds.	18,039	\$12,554			
Carpeting, ingr'd and Venetian "	128	260			
Oil cloth, other than patent floor cloth .....	570	210			
Cotton bagging.....	66,010	7,687			
Wines, Madeira, in casks and bot- tles.....gals.	6,418	10,062			
Sherry, in casks and bottles .....	7,169	11,506			
Sicily, in casks and bottles.....	1,449	555			
Red, of France, in casks "	24,656	8,757			
Other of France, in casks.....	66,322	29,395			
Of France, in bottles and cases.....	42,940	42,987			
Red, of Spain and Aus- tria, in casks.....	19,609	6,549			
Other of Spain, Aus- tria, Germany, and the Medit'n, in casks "	19,056	6,434			
Of other countries, in casks.....	70,264	50,055			
In bottles .....	5,874	5,304			
Spirits, from grain .....	17,596	11,166			
From other materials.. "	167,104	133,227			
Molasses.....	188,078	49,530			
Vinegar .....	4,234	1,235			
Beer, ale, and porter, in casks. "	350	100			
In bottles "	2,154	1,970			
Oil, spermaceti .....	160	170			
Whale, and other fish ... "	2,151	838			
Olive .....	4,010	3,863			
Castor .....	1,233	1,869			
Linseed .....	26,864	17,776			
Teas, from other places than China .....	2,804	1,822			
Chocolate .....	550	58			
Sugar, brown .....	9,790,704	552,528			
White clayed or pow- dered .....	9,081,640	799,518			
Loaf.....	74,674	5,325			
Candles, wax and spermaceti. "	412	210			
Tallow .....	119,832	15,600			



Summary Statement			
Of the value of the exports of the growth, produce, and manufacture of the United States, during the year commencing on the 1st day of October, 1839, and ending on the 30th day of September, 1840.			
THE SEA.			
Fisheries—		Spirits from grain, beer, ale, and porter.....	
Dried fish, or cod fisheries ...	\$541,053	Snuff and tobacco .....	128,330
Pickled fish, or river fisheries, (herring, shad, salmon and mackerel).....	179,106	Lead.....	813,671
Whale and other fish oil....	1,404,984	Linseed oil, and spirits of turpentine	39,687
Spermaceti oil.....	430,490	Cordage.....	63,348
Whalebone.....	310,379	Iron—pig, bar, and nails.....	43,510
Spermaceti candles.....	332,353	Castings.....	147,397
	\$3,198,370	All manufactures of.....	115,664
THE FORREST.		Spirits from molasses .....	841,394
Skins and furs.....	\$1,237,789	Sugar, refined.....	283,707
Ginseng.....	22,728	Chocolate .....	1,214,658
Products of wood—		Gunpowder.....	2,048
Staves, shingles, boards, hewn timber.....	\$1,801,049	Copper and brass.....	117,347
Other lumber.....	270,933	Medicinal drugs.....	86,954
Masts and spars.....	29,049		122,387
Oak bark, and other dye ....	229,510	Cotton piece goods—	\$5,279,317
All manufactures of wood...	596,305	Printed and colored.....	\$398,977
Naval stores, tar, pitch, rosin, and turpentine.....	602,529	White .....	2,925,257
Ashes, pot and pearl.....	533,193	Nankeens.....	1,200
	4,062,568	Twist, yarn, and thread....	31,445
	\$5,323,085	All other manufactures of ...	192,728
AGRICULTURE.			\$3,549,607
Product of animals—		Flax and hemp—	
Beef, tallow, hides, horned cattle.....	\$623,373	Cloth and thread.....	7,114
Butter and cheese.....	210,749	Bags and manufactures of ..	1,128
Pork, (pickled,) bacon, lard, live hogs.....	1,894,894	Wearing apparel .....	152,055
Horses and mules .....	246,320	Combs and buttons .....	40,299
Sheep.....	30,698	Brushes .....	12,263
	\$3,006,034	Billiard tables and apparatus ....	2,471
Vegetable food—		Umbrellas and parasols.....	9,654
Wheat.....	\$1,635,483	Leather and morocco skins not sold per pound .....	19,557
Flour.....	10,143,615	Printing presses and type.....	17,105
Indian corn.....	338,333	Fire engines and apparatus .....	6,317
Indian meal .....	705,183	Musical instruments.....	12,199
Rye meal.....	170,931	Books and maps.....	29,632
Rye, oats, and other small grain and pulse.....	113,393	Paper and stationery .....	76,957
Biscuit, or ship-bread .....	428,988	Paints and varnish.....	34,631
Potatoes .....	54,524	Vinegar .....	6,401
Apples.....	55,131	Earthen and stone ware .....	10,959
Rice.....	1,942,076	Manufactures of glass.....	56,688
	15,587,657	Tin.....	7,501
	\$18,593,691	Pewter and lead.....	15,296
Tobacco.....	9,883,957	Marble and stone	35,794
Cotton .....	63,870,307	Gold and silver,	
All other agricultural products—		and gold leaf..	1,965
Flaxseed.....	\$120,000	Gold and silver coin.....	2,235,073
Hops .....	11,235	Artificial flowers and jewellery ...	9,479
Brown sugar .....	45,940	Molasses .....	9,775
Indigo .....	209	Trunks.....	6,607
	\$177,384	Brick and lime .....	16,949
MANUFACTURES.		Domestic salt .....	42,246
Soap, and tallow candles.....	\$451,995		6,425,722
Leather, boots and shoes .....	214,360	Articles not enumerated—	
Household furniture .....	295,844	Manufactured.....	403,496
Coaches and other carriages ....	74,416	Other articles .....	740,305
Hats.....	103,398		1,143,801
Saddlery .....	59,517	TREASURY DEPARTMENT,	113,895,634
Wax.....	\$59,685	Register's Office, June 8, 1841.	
		T. L. SMITH, Register.	
		Another Anthracite Furnace.	
		The Crane Iron Company have commenced the erection of another Anthracite Furnace in the vicinity of their present works on the Lehigh, near Allentown. The new furnace will be completed by about the middle of November, next. We are gratified to learn that the success of the furnace erected last year, has proved so satisfactory that the proprietors have determined to increase their operations. Every enterprise of this kind will aid in bringing into operation two of the greatest staples of Pennsylvania, Coal and Iron.—Philadelphia Commercial List.	

## Chronology and Statistics of Tobacco.

BY JOEL MUNSELL.

The whole world, within the space of about three centuries, have become chewers, smokers and snufflers. The Chinese chews and smokes his opium, the East-Indian his betel, and the European and American their tobacco. Against these practices it is useless to declaim. It was in vain that the Parliament of England discouraged the *flagrant delit* of smoking; in vain did James I. assure his subjects that the custom was "loathsome to the eye, hateful to the nose, harmful to the brain, dangerous to the lungs and in the black stinking fume thereof, nearest resembling the horrible Stygian smoke of the pit that is bottomless." The strong arm of the law opposed it; the priest and the physician, the moralist and the philanthropist arrayed themselves against it; all to no purpose. Opposition only served to make proselytes, and the custom has spread far and wide under persecution, till over the whole surface of the globe its fumes arise constantly to the atmosphere, and it is at this moment, perhaps, the most general luxury in existence. In the city of New York alone, the consumption of cigars is computed at *ten thousand dollars a day*—a sum greater than that which its inhabitants pay for their daily bread; and in the whole country the annual consumption of tobacco is estimated at *one hundred million pounds*, being seven pounds to every man, woman and child, at an annual cost to the consumer, of *twenty millions of dollars*!

It may be curious to mark by what gradations the use of tobacco has reached this grand crisis. The subject attracted the attention of Prof. Beckmann of Gottingen, about the middle of the last century, who took great pains to ascertain the dates of its introduction into the different countries of Europe, and from whose work some of the following items are gathered. He conjectures that even before the discovery of the fourth quarter of the globe, a sort of tobacco was smoked in Asia; and this opinion was also entertained by the celebrated traveller, M. Pallas, who says that, "Among the Chinese, and among the Mogol tribes who had the most intercourse with them, the custom of smoking is so general, so frequent, and become so indispensable a luxury; the tobacco purse affixed to their belt so necessary an article of dress; the form of the pipes, from which the Dutch seem to have taken the model of their's as original; and, lastly, the preparation of the yellow leaves, which are merely rubbed to pieces and then put into the pipe, so peculiar, that we cannot possibly derive all this by the way of Europe from America, especially as India, where the habit of smoking tobacco is not so general, intervenes between Persia and China." It may be too late now to investigate the subject, even if it should be considered worth the trouble. But there is one more important confirmation of Prof. Beckmann's conjecture to be adduced from Ulloa's *Voyage to America*, who says: "It is not probable that the Europeans learned the use of tobacco from America; for as it is very ancient in the eastern countries, it is natural to suppose that the knowledge of it came to Europe from those regions by means of the intercourse carried on with them by the commercial states on the Mediterranean Sea. Nowhere, not even in those parts of America where the tobacco grows wild, is the use of it, and that only for smoking, either general, or very frequent." We have nothing, however, authentic, earlier than the following:

In 1496, Romanus Paine, a Spanish monk, whom Columbus, on his second departure from America had left in that country, published the first account of tobacco, with which he became acquainted in St. Domingo. He gave it the name of *cohoba*, *cohobba*, *gioia*.

In 1519, tobacco is said to have been discovered by the Spaniards near Tobasco, though it is assigned to the next year.\*

In 1535, the negroes had already habituated themselves to the use of it, and cultivated it on the plantations of their

masters. Europeans likewise already smoked it. We also find from a passage in *Cartier's Voyage*, that it was used in Canada.\*

In 1559, tobacco was introduced into Europe from St. Domingo, by a Spanish gentleman named Hernandez de Toledo, who brought a small quantity into Spain and Portugal. In the same year Jean Nicot, envoy from the court of France to Portugal, first transmitted thence to Paris, to Queen Catharine de Medicis, seeds of the tobacco plant; and from this circumstance it acquired the name of *Nicotiana*. When tobacco began to be used in France, it was called *herbe du grand prieure*, from the grand prieure of the house of Lorraine, who was then very fond of it. It was also called *herbe de St. Croix*, after Cardinal Prosper St. Croix, who, on his return from Portugal, where he had been nuncio from the Pope, introduced the custom of using tobacco. It was received at once in France and the Papal States with great enthusiasm, in the form of powder, or snuff; it was sometime after this period, that smoking became popular.

In 1565, Conrad Gesner became acquainted with tobacco. At that time several botanists cultivated it in their gardens. The same year Sir John Hawkins carried tobacco from Florida to England, where "all men wondered what it meant."

In 1570, they smoked in Holland out of conical tubes composed of palm leaves, plaited together.

In 1575, first appeared a figure of the plant in Andre Thevet's *Cosmographie*.

In 1585, the English first saw pipes made of clay among the natives of Virginia, which had just been discovered by Sir Richard Grenville. It appears likewise that the English soon after fabricated the first clay tobacco pipes in Europe.

In 1590, Schah Abbas of Persia, prohibited the use of tobacco in his empire; but the practice had become so deep-rooted among his subjects, that many of them fled to the mountains, and abandoned everything else to enjoy the luxury of smoking.

In the beginning of the seventeenth century they began to cultivate tobacco in the East Indies.

In 1604, James I. of England endeavored by means of heavy imposts, to abolish the use of tobacco, which he held to be a noxious weed.

In 1610, the smoking of tobacco was known at Constantinople. To render the custom ridiculous, a Turk, who had been found smoking, was conducted about the streets, with a pipe transfixed through his nose. For a long time after, the Turks purchased tobacco from the English, and that the refuse. It was late before they began to cultivate the plant themselves.

In 1615, tobacco began to be sown about Amersfort, in Holland, which afterwards became famous for its cultivation.

In 1616, the colonists began to cultivate tobacco in Virginia. It is not known whether the plant was indigenous, or whether it came from a more southern country. It is supposed the seeds were from Tobago. But it seems to have been in use among the Virginia Indians at the time they were visited by the English, and was called by them *petun*, or *petum*. Clavigero says, "tobacco is a name taken from the *Haitine* language." Humboldt also derives it from the same language, and says that the term was used to designate the pipe, or instrument made use of by the natives in smoking the herb, which the Spaniards transferred to the herb itself, and after them, the other nations of the old world.

In 1619, James I. wrote his *Counterblast to Tobacco*, and ordered that no planter in Virginia should cultivate

\* "Cette plante, (tabac,) acre et caustique, trouvee in 1520, pres de Tobasco dans le golfe du Mexique."—*Precis sur l'Amerique*, p. 116.

\* "There groweth a certain kind of herbe, whereof in summer they make great provision for all the ycere, and only the men use of it; and first they cause it to be dried in the sunne, then weare it about their neckes, wrapped in a little beastes skinne made like a little bagge, with a hollow peece of stone or wood like a pipe; then when they please they make poudre of it, and then put in one of the ends of the said cornet or pipe, and laying a coal of fire upon it, at the other end sucke so long, that they fill their bodies full of smoke, till that it cometh out of their mouth and nostrils, even as out of the tonnell of a chimney."

more than one hundred pounds a year. He also prohibited its sale in England or Ireland until the custom should be paid and the royal seal affixed. *Twenty thousand pounds* were exported this year from Virginia to England, the whole crop of the preceding year.

In 1620, ninety young women were sent over from England to America and sold to the planters for tobacco, at *one hundred and twenty pounds* each. The price at first was one hundred pounds, which gradually increased to one hundred and fifty pounds. King James issued a proclamation restraining the disorderly trade in this obnoxious article. In the same year some English companies introduced the smoking of tobacco into Zittau, in Germany, and Robert Konigsman, a merchant, brought the tobacco plant from England to Strasburg.

In 1622, the annual import of tobacco into England from America, for the last seven years, was 142,085 pounds.

In 1624, the Pope published a decree of excommunication against all who should take snuff in the church, because then already some Spanish ecclesiastics used it during the celebration of mass. King James restricted the culture of tobacco to Virginia and the Somer isles, and forbade its importation from any other quarter, considering England and Wales "as utterly unfyt in respect of the clymate, to cherish the same for any medicinall use, which is the only good to be approved in yt."

In 1631, smoking of tobacco was introduced into Misnia, by some Swedish troops.

In 1634, a tribunal, called the chamber of tobacco, was formed at Moscow, which prohibited smoking under pain of having the nose slit; and the Grand Duke defended the entrance of tobacco with the infliction of the knout for the first offence, and death for the second.

In 1639, the grand assembly of Virginia passed a law that all tobacco planted in that and the two succeeding years, should be destroyed, except such a proportion to each planter as should make in the whole 120,000 pounds, and that the creditors of the planters should receive 40 pounds for every 100 pounds due them.

In 1653, smoking began in the canton of Apenzell, in Switzerland. At first the children ran after those who smoked in the streets. They were likewise cited before the council and punished, and the inn-keepers were ordered to inform against such as should smoke in their houses.

In 1661, the police regulation of Berne, in Switzerland, was made, which was divided according to the ten commandments. In it, the prohibition to smoke tobacco, stands under the rubric, "thou shalt not commit adultery," and was continued in force until the middle of the last century.

In 1669, the crimes of adultery and fornication, were punished in Virginia by a fine of from 500 to 1000 pounds of tobacco.

In 1670, and the two following years, smoking of tobacco was punished in the canton of Glaurus, by a fine of one crown Swiss money.

In 1676, the whole custom on tobacco from Virginia, collected in England, was \$600,000. In the same year two Jews first attempted the cultivation of tobacco in the margravate of Brandenburg; but which, however, was not brought to bear till 1681.

In 1689, Jacob Francis Vicarius, an Austrian physician, invented the tubes for tobacco pipes, which have capsules containing bits of sponge; however, about the year 1670, already pipes were used having glass globules appended to them, to collect the oily moisture exuding from the tobacco.

In 1690, Pope Innocent XII. excommunicated all who should be guilty of taking snuff or tobacco in the church of St. Peter at Rome.

In 1697, great quantities of tobacco already were produced in the palatinate of Hesse.

In 1709, the yearly exports of tobacco from America for the last ten years, were 28,858,666 pounds; of which 11,260,659 pounds were annually consumed in Great Britain, and 17,598,007 pounds in the countries of Enrope.

In 1719, the Senate of Strasburg prohibited the culture of tobacco from an apprehension that it would diminish the growing of corn,

In 1724, Pope Benedict XIV. revoked the Bull of excommunication published by Innocent, because he had acquired the habit of taking snuff.

In 1732, tobacco was made a legal tender in Maryland, at one penny a pound.

In 1747, and the two years previous, there were annually exported to England from the American colonies, 40,000,000 pounds of tobacco, 7,000,000 of which was consumed in England. The annual revenue was about \$4,500,000.

In 1753, the King of Portugal farmed out the tobacco trade for about \$2,500,000. The revenue of the King of Spain from tobacco, amounted to \$6,330,000.

In 1759, the duties on tobacco in Denmark, brought in \$40,000.

In 1770, the Empress of Austria received a revenue from tobacco of \$800,000.

In 1773, the duties on tobacco in the two Sicilies, amounted to \$446,000.

In 1775, the annual export of tobacco from the United States, for the last four years, was *one million pounds*; for the last thirty years it averaged 40,000,000 pounds, of which 7,000,000 were consumed in Great Britain, and 33,000,000 in the other European countries.

In 1780, the King of France received from tobacco a revenue of about \$7,250,000.

In 1782, the annual export of tobacco during the preceding seven years' war of the Revolution, had been 12,378,504 pounds. Of the total seven years' exportation, 33,974,949 pounds were captured by the British.

In 1787, the quantity imported into Ireland was 1,877,579; in 1829, 4,124,742 pounds.

In 1789, the quantity exported from the United States, together with the two previous years, averaged about 90,000,000 pounds.

In 1820, the quantity of tobacco grown in France had doubled in three years, being 32,887,500 pounds.

In 1828, the revenue on tobacco in the State of Maryland was \$27,275.

In 1830, the revenue on tobacco and snuff in Great Britain was nearly \$13,000,000.

In 1834, the value of tobacco used in the United States, was estimated at \$16,000,000; of which \$9,000,000 were supposed to have been for smoking Spanish cigars; \$6,500,000 for smoking American tobacco and chewing; and \$500,000 for snuff.

In 1838, the annual consumption of tobacco in the United States was estimated at *one hundred million pounds*, valued at *twenty million dollars* cost to the consumers, being *seven pounds* to each individual of the whole population.

In 1840, it was ascertained by a committee appointed to procure and report statistical information on the subject, that about *one million five hundred thousand* persons were engaged in the manufacture and cultivation of tobacco in the United States; one million of whom were in the States of Virginia, Maryland, Kentucky and Missouri. Allowing the population of the whole country to be seventeen millions, it will be seen that nearly *one-tenth* are in some way engaged in the cultivation or manufacture of this article. The value of the export during that year was nearly \$10,000,000.

[*Northern Light*.

Albany, September, 1841.

#### Effect of Enterprise.

The Directors of the Great Western Railroad made a report to the Legislature of Massachusetts last winter, in which they gave encouragement that this stupendous work would be finished to the State line, thirty miles from the Hudson river, during the month of May, 1842. Last Saturday week the work was completed, and for the first time the cars ran direct from Boston to the Hudson river, a distance of about 160 miles! This has been accomplished eight months in advance of the time stipulated, a circumstance without a parallel in the history of railroads, and will cause a saving of about \$200,000 to the stockholders.—*North American*.

### Steamship Clarion and Anthracite Coals.

This packet ship, provided, as our readers are aware, with an auxiliary steam power and the Ericsson Propeller, made a trial excursion in the Bay last Saturday, the result of which may be considered of some importance in connexion with the progress of American steam navigation.

It has long been urged by grave authorities, that nature has interposed an effectual barrier to prevent the United States from competing with Great Britain in steam navigation, owing to the scarcity and inferior quality of our bituminous coals. The absurdity of this opinion was strikingly illustrated in the trial alluded to.

The public generally are not aware that the *Clarion's* boilers have been constructed for burning anthracite coals only, and that artificial draught is employed in order to dispense with the usual tall and cumbrous smoke-pipe. Hitherto some difficulty has been experienced in keeping up a sufficient supply of steam in the "*Clarion*;" but by the addition of a small steam cylinder for working the blower applied to the boiler, this difficulty has now been most completely removed, and nothing could be more perfect than the control which the engineer had over the steam during the trial. By simply turning a stop-cock attached to the small cylinder, the quantity and pressure of the steam in the boilers were raised at pleasure.

Considering the small quantity of stowage room required by anthracite coals, its cleanliness, powerful heating qualities, and the perfect absence of smoke, we hazard nothing in asserting, after what we witnessed on board the "*Clarion*," that so far from the United States laboring under any disadvantage respecting coals for steam navigation, we possess, in our inexhaustible stores of anthracite coals, an absolute advantage over our transatlantic neighbors. And in warfare we have an advantage of the most vital importance.

Steamers burning bituminous coal can be "tracked" at sea at least seventy miles before their hulls become visible by the dense columns of black smoke pouring out of their pipes, and trailing along the horizon. It is a complete tell-tale of their whereabouts, which is not the case with those burning anthracite coal, as the latter kind sends forth no smoke. Therefore all steamers like the "*Clarion*" and "*Kamschatka*," are decidedly superior to all others in time of war. And we regret very much that our two new war steamers, the "*Missouri*" and "*Mississippi*," have been constructed to burn foreign bituminous coals only! We regret very much that the "Board of Construction" had so little foresight. But this *en passant*.

Having had the advantage of conversing with some thorough-bred engineers who were on board the *Clarion*, we cannot avoid noticing the performance of the propeller during the trial. The speed of the engine being accurately tried, it was found to give 4,700 revolutions to the propeller in running over a space of 14 miles. Now, the propeller being  $6\frac{1}{2}$  feet in diameter; and its spiral plates being set at an angle of 46 degrees at the circumference, its progressive movement through the water will be precisely 20 feet for each revolution; had therefore the resistance of the water been perfect, the vessel could only have passed over a space of 95,900 feet.

But 14 miles is equal to 73,900—thus it will be seen that only 2-9ths was lost by slip on the receding of the water—a remarkable fact, considering the large midship section of the "*Clarion*," compared with the small dimension of the propeller.

Respecting the consumption of fuel in the "*Clarion*," it has now been fully ascertained 320 pounds per hour is the average, which is less than that required by a British steamer of forty horse power.—*New York Herald*.

### Oldest Man in New England.

Deacon John Whitman was born in Bridgewater, March 25, 1735, and entered upon his one hundred and seventh year last Friday, (March 26th.) His bodily health is good, and he is able to walk out without a cane. His mental faculties have failed him, and he has lost his eye-sight. He has been a temperate man all his life; not having tasted ardent spirits for the last fifty years.

### Revolutionary Reminiscence.

It has been stated in several of the papers that Mr. Squiers, of Ashford, Connecticut, who died a few weeks since, was the last of the survivors of the battle of Bunker Hill. This is not correct. Philip Bagley, Esq. of this town, now *eighty-six* years of age, and enjoying a healthful old age, in the full possession of all his faculties, was in that battle. Being in our office the other day, we procured from him some facts which we have thrown together for the benefit of those of our readers who love to indulge in these old reminiscences of the times of devoted and unselfish patriotism.

Mr. Bagley was a private soldier in Capt. Sawyer's company, and Col. Frye's regiment of Massachusetts minute men, having enlisted in this regiment, in December 1774.—He left Haverhill, on the Merrimack, at 1 o'clock on the 19th of April and arrived at Cambridge, at 10 o'clock the next day. Nothing worthy of notice, he says, transpired until the evening, of the 16th of June. On that evening, Col. Frye's regiment, together with Col. Dodge's of Connecticut, crossed the neck, and went on to Bunker Hill, where the British troops had previously halted on their retreat from Concord, in April. After remaining there about an hour, both regiments proceeded to Breed's Hill. Here they commenced breaking grounds for their entrenchments, between 10 and 11 o'clock at night, working all night so secretly and silently that the Glasgow sloop of war, lying in the river at a short distance, did not discover them. At day light they were discovered and a fire was opened upon them from Copp's Hill and from the shipping. The Glasgow soon hauled up the stream, in order to rake the Neck with her shot, and prevent reinforcements from reaching the hill.—Notwithstanding the shot and shells continued to pour in upon them, the Americans continued to work upon their entrenchments, and but one man was killed by the cannonade. Sentries were stationed to watch the flash from the gun, and on their calling out "shot!" the men would lie down flat upon the ground, and then rise and resume their work. This continued until the British troops landed at Charlestown, when the Americans were compelled to leave the spade and pick-axe, and resort to their guns. The first division of the British troops, on landing, halted till the second had crossed the river, when both formed, and advanced up the hill, under cover of the fire from Copp's Hill, and from the sloop of war and the gun boats.

As is well known to every reader, the Americans reserved their fire, until the British were within a hundred yards, when they opened so deadly a fire upon them, that they twice repulsed them, and it was not until the third rally that the British succeeded in surrounding the lines, so as to rake the breast work, and compel the Americans to retreat.

Fifty years after this memorable battle, Mr. Bagley was present, with Lafayette, and other survivors of the revolution, at the laying of the corner stone of the Monument, and on the 10th of September, 1840, he was there again at the Great Whig Convention, in the full vigor of manhood, and he hopes yet to live to see the top stone laid upon the monumental pile.—*Newburyport Herald*.

### Gold Mines in Georgia.

We have been favored by a friend with the following extract of the letter received a day or two since, from a gentleman of high respectability residing in the Cherokee Country. Sixes, we are informed, is an old Indian town, where several lots of land were found to have very rich surface, deposit and vein mines of gold. Some four years since we understand \$12,000 was taken from a branch on its margin, and many other lots near by were found to be valuable.

[*Savannah Repub.*

HICKORY FLATS, Cher. Co. }  
October 1, 1841. }

The gold mine of Gerald's continues to be pretty good; they have taken some 800 dwts. from it, one piece weighing 18 dwts. About the Sixes they continue to take it with great success—three hands frequently make from 50 to 100 dwts. in a day.



### Agriculture of New York.

The following is an extract from an article published in the last number of "The Northern Light," on the agriculture of New York, by John A. Dix, Esq.

The degree in which agriculture ministers to our wants and to our prosperity, may be best comprehended by comparing it with other pursuits in our own State; and by comparing it with the agriculture of other countries, we may be the better able to determine whether it has attained the perfection, of which it is susceptible. The comparison must necessarily be brief; but the facts which it will enable us to bring together and exhibit in connexion, cannot fail to be interesting, if not useful.

By referring to the account of the statistics of this State in the 6th number of the Northern Light, page 95, it will be seen that of 623,157 persons engaged in various departments of industry, 456,475 are employed in agriculture; while in manufactures and trades there are 102,576; in commerce 28,395; and in navigation, ocean, lake, river and canal but 15,601. More than two-thirds of the persons employed in the principal branches of industry, and more than one-sixth of our entire population, are engaged in tilling the earth. The persons enumerated are presumed to be such as are of sufficient age for actual labor, and not the whole number (young and old) belonging to families sustained by agricultural employments; or in other words, not the entire agricultural class, which must constitute a much larger proportion of the entire population. Thus in France the agricultural class is estimated at two-thirds of the entire population, but the number of persons actually engaged in the labors of agriculture must, of course, be much less, for in a population of 33,540,910 in France in 1836, 18,774,676 were children or unmarried. So in the State of New York, of a population of 2,429,476 in 1840, 955,593 were under 15 years of age. The persons, therefore, enumerated as engaged in agriculture in this State must be of sufficient age for labor;—whereas in France the entire class engaged in agriculture, including both young and old, must be included in the estimate.

In Great Britain the enumeration is more specific than in France or New York. The number of persons engaged as occupiers of land or laborers, of twenty years of age and upwards, amounts to 1,233,057 in a population of 16,539,318.

It is impossible to institute a comparison between the State of New York and France as to the proportion of the population respectively engaged in agriculture, as the enumerations are not made on the same basis. But between New York and Great Britain the comparison would furnish a nearer approximation to fairness, as our enumeration includes persons of sufficient age to labor, and that of Great Britain includes persons of 20 years of age and upwards.—Taking the estimates as they are, the number of persons, of the ages referred to, engaged in agriculture is one in about 13 2-5 of the entire population of Great Britain, while in New York the number of persons so engaged is one in about 5 1-3 of the population.

The total product of our agricultural industry, compared with our entire population, affords a not less gratifying result.

Our population in 1840 was 2,429,476. The crop of wheat, barley, oats, rye, buckwheat and Indian corn (see Northern Light, number 6, page 95) amounted to 51,376,908 bushels, or about 21 1-7 bushels for each inhabitant.

The population of Great Britain in 1831 was 16,539,318  
Deduct Scotland - - - - 2,365,114

Total, England and Wales - - 14,154,204

The crop of wheat, barley and rye, oats and beans in England and Wales (see Northern Light, number 4, page 57,) is 29,450,000 quarters, which at 8 bushels the quarter is 235,600,000, or about 16 3-5 bushels for each inhabitant.

If our product of cereal grains had been in the same proportion to our population as that of England, it would have been but 40,381,634 bushels instead of 51,376,908. There

is an excess, therefore, comparing our product with that of England, of nearly eleven millions of bushels; or, in other words, the production of cereal grains in the State of New York exceeds that of England by about one quarter, when considered in reference to the population of the two countries. Nor is the basis of the comparison favorable to us. The population of England and Wales, as above given, is according to the enumeration of 1831, whereas the crop is taken from the estimate of a subsequent year; and in 1838 the population was estimated at 16 millions. In our product, Indian corn and buckwheat constitute important items, but they are not to be found in the English returns. The former is not raised at all in England as a crop, and the latter is rarely seen, though in a few cases it is allowed to ripen in small quantities, and in others it is cut down while in flower as a manure. On the other hand beans, which are an important crop in England, and are grown under the plough, are not included in our returns. But striking out Indian corn from our returns, a crop second only to wheat, and constituting more than one-fifth of our whole annual product of cereal grains, and we still show an annual crop of 40,294,746 bushels, equal within a fraction, to the product of England, considering the difference of population.

The population of France in 1836 was 33,540,910. The crop of wheat, rye, meslin, (rye and wheat mixed,) barley, oats and Indian corn, was, in 43 departments in the north-east and south-east of France, 84,595,773 hectolitres, which at 3 bushels for 1,090 43 hectolitre, amount to 238,243,004 bushels. This fact is taken from the report of the Minister of Agriculture and Commerce, for 1840, which embraces about one-half the territory and population of France.\* The agricultural statistics of the other half have not yet been obtained. If the product above stated be doubled, it will give for the whole kingdom a product of 476,486,008 bushels of cereal grains or about 14 1-4 bushels to each inhabitant.—This is somewhat more than two-thirds of our product and not quite seven-eighths of the product of England, considering them relatively to population. The three countries, therefore, stand thus:

#### Product of Cereal grains.

State of New York	21 1-7 bushels per inhabitant.
England and Wales	16 3-5 " "
France	14 1-4 " "

Let us now extend the comparison to live stock.

#### Horses.

State of New York, (horses and mules) -	476,115
Great Britain, (horses)† - - -	1,500,000
France, (horses and mules)‡ - - -	2,983,326

#### Cattle.

State of New York - - - -	2,202,438
Great Britain - - - -	5,220,000
France - - - -	8,671,918

#### Sheep.

State of New York - - - -	5,381,225
Great Britain - - - -	39,648,000
France - - - -	30,360,682

The proportion stands thus:

#### Horses.

State of New York, (horses and mules) 1 to 5 1-10 inhab.	
Great Britain, (horses) - - - 1 to 11 2-100 "	
France - - - - 1 to 11 1-4 "	

\* The division line is the meridian of Paris, which severs the kingdom into two nearly equal parts, both in respect to territory and population, leaving on each side also 43 departments, 86 being the whole number in France.

† The number of mules in Great Britain is so small that they are not taken into the account in the statistical returns of the kingdom.

‡ In making up this amount for France, we, of course double the number actually obtained in one-half of the kingdom, supposing the two portions to be equal.

*Cattle.*

State of New York	-	-	1 to 1	1-10	inhab.
Great Britain	-	-	1 to 3	17-100	"
France	-	-	1 to 3	9-10	"

*Sheep.*

State of New York	-	-	2	1-5	for each inhab.
Great Britain	-	-	2	2-5	" "
France	-	-	0-90	"	"

or one sheep for every 1 1-10 inhabitant.

In live stock, therefore, we are in advance of Great Britain, except in respect to sheep, and in this respect we fall but little behind her. This fact is calculated to excite some surprise, as Great Britain has long occupied so high a rank among wool-growing countries. A comparison with France exhibits us far in advance of that kingdom in live stock, considering the countries relatively to population.

The aggregate agricultural product of a country is not, for obvious reasons, to be relied on as a criterion of the condition of its agriculture. We must see what proportion the product bears to the surface under cultivation, and the number of persons employed. Unfortunately we have not the means of testing the productiveness of our agriculture by the first of these standards. The extent of our cultivated surface is not exhibited by the returns we have received of our agricultural statistics as ascertained by the census of 1840. The area of the State of New York comprises 45,658 square miles. This includes rivers and small lakes, which may cover 1600 square miles, making the territorial surface in round numbers 44,000 square miles, or 28,160,000 acres. Of this surface 9,655,426 acres, somewhat more than one-third, had in 1835 been improved, (i. e. settled,) though it was supposed that not more than one-half (or one-sixth of our whole area) was under profitable cultivation. The area of England and Wales is 57,812 square miles, or 36,999,680 acres. The land under tillage in England and Wales, including 1,650,000 acres under fallow, is 13,650,000 acres. The number of acres under tillage and fallow in this State does not probably exceed 5,000,000 acres. Our annual crop of cereal grains ought to be at least one-third of that of England and Wales to be equally productive—or about 78 millions of bushels, whereas it is less than 52 millions, or less than one fourth. We do not pretend to give this comparison as an accurate one, as the basis of the estimate is not to be relied on.

But in respect to the number of persons employed, a nearer approximation to the truth may be attained. In England and Wales, as we have seen the number of persons of 20 years of age and upwards engaged in agriculture is 1,233,057. Dividing the crop of cereal grains by this number, it will give 191 1-100 bushels for each person employed in agriculture. Dividing our crop by the number of persons so employed, it will give 112 1-2 bushels for every such person, or not quite 6 to 10 compared with the annual crop of cereal grains in England and Wales, relatively to the number of persons employed in producing it.

From this comparison it results that our aggregate annual crop of grains greatly exceeds that of England and Wales, considered in reference to population: but considered in reference to the number of hands engaged in producing it, we are greatly behind that country. This indicates with us a less improved state of husbandry—a fact which has long been well understood. The prevalent tendency in old countries is to a greater sub-division of the soil among the class of occupiers, the same tendency prevails with us, but to a much more limited extent; and so it will be, as long as we have immense tracts of unoccupied land within our own boundaries, and in the new States and Territories west of us.—Where lands are abundant, the system of husbandry is naturally superficial and careless. An agricultural population, restricted as to the surface it occupies, must compensate itself by improved modes of culture, increased labor, and a more generous application of fertilizing agents. This is the condition of England; and it has produced a perfection in her agriculture, with which few districts of the habitable globe will bear a comparison. If we compare ourselves

with her our farms are large and imperfectly cultivated.—These are defects which we might profitably correct now, without waiting till we are impelled to it by the necessity of providing for a greatly increased population. The same labor and expense devoted to the cultivation of one half the surface occupied, would, in many cases, be a source of economy and profit, as well as comfort.

But, on the whole, the view we have presented of our agriculture is highly gratifying, both in respect to the rank it holds in the scale of our domestic industry, and in respect to the comparison it bears with the agriculture of two of the principal countries of the old world. Yet there is a vast deal to be done to bring it to perfection, to develop fully the powers of the soil, and give it all the productiveness of which it is capable.

*Illinois Tobacco.*

It will be seen by the annexed article from the Chicago American, that a new section of country is beginning to be devoted to the cultivation of tobacco:

We congratulate our citizens upon the great accession to our resources just beginning to develop itself. Our readers generally, we presume are not aware that tobacco is now grown to a considerable extent in northern Illinois. This, we believe, is its second season. The counties of Winnebago and Ogle have the credit of adding tobacco to the other great staples of the northern portion of the State. Large quantities are raised in and near Bloomington in the former county. Mr. Martin, late of Alabama, now residing about two miles from Rockford, recently cut a leaf from one of his stalks measuring three feet in length by two in breadth. Most of the farmers in the above mentioned counties have engaged in the cultivation of this crop. From two to ten acres is the quantity of land appropriated by those who raise it to its culture. So far it has produced from one thousand five hundred to two thousand five hundred pounds to the acre. The net profits on each acre are calculated at from seventy to one hundred dollars. Much of the tobacco raised in these counties has been already harvested and is now drying under sheds which have been erected for that purpose. With regard to our soil as adapted to its cultivation, both are declared to be as suitable as any portion of the Union. It grows luxuriantly as may be readily inferred from the size of the leaf to which we have alluded. Southern men engaged in the cultivation of this tobacco say that our soil and climate are decidedly favorable to its growth. With regard to its quality it may be considered good to say the least. Cigars have already been manufactured from it, and a friend of ours who is both a lover and a judge of the weed says they are superior to the common American article. We anticipate with no small degree of pride the time when we shall add Tobacco to our "Chicago Market."

*Silk Culture.*

Robert Sinclair, of Baltimore, a member of the Society of Friends, raised in his cocoonery the present season, as a commencement, one hundred bushels of cocoons, which he has sold very advantageously. Mr. Allen of Brockport, in this State, who devoted 8 acres of his farm the present year to the silk culture, has raised a very large crop of silk, and is so well satisfied with his success that he is now ploughing up 14 acres more for planting mulberry trees. Several of his neighbors have with trifling attention raised 50 to 60 bushels of cocoons each, and in all cases at less expense than the bounty allowed by the State.—*N. Y. Sun.*

*A Large Cargo.*

The steamboat Louisa left our wharf yesterday, for New Orleans, with about as large and probably the largest cargo which has ever been carried from this port by one vessel.—She took in tow the two relief boats, and on them and in her hold she had exceeding 900 tons of freight, chiefly flour and lead, besides a large drove of horses. She will also take in more freight between this and the mouth.—*St. Louis Republican.*

### Effect of the Monopoly on the Coal trade of the Tyne.

We have frequently had occasion to call attention to the melancholy fact, that the coasting coal trade of the Tyne has been, of late years, from some cause or other, most completely paralyzed. It is painful for us to recur to the subject, but our duty—our desire to defend and promote the interests of this great district—compels us to do so. We blame the spirit of monopoly for all the mischief. The present parties engaged in the coal trade are, perhaps, less guilty than the contrivers and fosterers of the scheme which has been so productive of evil; but the time is arrived when the serious, and, to this neighborhood, vital question, must be considered, whether the attempt at monopoly can be longer persevered in with safety. We subjoin a table of a most important kind, which we have formed from official documents:

TABLE OF COASTWISE SHIPMENTS FOR THE LAST TWENTY-ONE YEARS.

	United Kingdom.	Newcastle.	Sunderland.	Stockton
Year.	Tons.	Tons.	Tons.	Tons.
1820	4,554,308	2,004,759	1,102,327	Nil.
1821	4,376,695	1,834,650	1,050,443	Nil.
1822	5,066,253	1,736,171	1,051,840	*1,224
1823	5,066,292	1,958,109	1,317,385	Nil.
1824	5,000,000	1,822,148	1,301,644	Nil.
1825	5,080,265	1,820,626	1,382,759	Nil.
1826	5,509,891	2,099,867	1,455,988	10,754
1827	5,091,046	1,811,924	1,337,109	32,182
1828	5,248,006	1,921,467	1,350,354	66,051
1829	5,854,378	1,956,829		
1830	} No returns called for by Parliament in these years.			
1831				
1832				
1833	5,848,208	1,921,841	1,175,936	578,800
1834	5,811,180	2,017,462	951,713	623,484
1835	6,111,030	2,291,401	928,999	677,941
1836	6,463,118	2,274,768	971,190	916,440
1837	7,081,929	2,385,192	931,944	1,145,837
1838	7,182,351	2,453,225	948,388	1,219,938
1839	7,209,990	2,149,814	913,394	1,308,771
1840	7,459,070	2,267,082	867,777	1,367,532

The above table tells a sad tale of the Tyne. It shows that, although the general coal trade of the kingdom had increased during the 21 years ending 1840, from  $4\frac{1}{2}$  millions to  $7\frac{1}{2}$  millions of tons, or about 65 per cent., the trade of the Tyne only exhibited the insignificant improvement of about a quarter of a million upon two millions of tons, or not much more than  $12\frac{1}{2}$  per cent.

The Tyne, as we said some weeks ago, has always been most shamefully treated. There was in former days the "Richmond shilling," payable only on coals shipped from the Tyne, but from that impost our river was at last relieved. Then, there is still the town duty payable to the corporation of Newcastle, which we have already shown exceeds in amount the total of duty received by her Majesty on the whole coal trade of her dominions; and there are other duties and vexations (upon which, ere long, probably, we shall feel called upon to comment) which weigh upon the trade of the Tyne, and from which its competitors, close at home, are entirely exempt.

The coal trade of Newcastle seems to have been doubly unfortunate. It has been a prey to blind managers on the one hand, and to sharp-sighted overreachers on the other.—Had common prudence and common watchfulness prevailed, in days gone by, either in the councils of the coal trade or of the corporation of Newcastle, it is impossible that the system of which we complain could have been so long suffered to continue—it is impossible that "restrictions" on sale could

\* These were the first shipments from Stockton:—and it is curious enough, that in 1770 there were landed in that port 4,096 chaldrons; in 1780, 222 chaldrons; and in 1790, 220 chaldrons.

have been persevered in or permitted, either in the shape of a "limitation of vend," or a submission to duties and charges which neither folly from within nor influence from without could ever succeed in imposing upon rival ports. There must be a new leaf turned over by both corporation and coal trade, or——(we need not, we think fill up the blank).

*Gateshead (Eng.) Observer.*

### Leavenworth's Canal Steam Tugger.

During the past week [says the Albany Journal] "Leavenworth's Canal Steam Tugger" has been in operation upon the Erie Canal in this vicinity, using neither paddle, screw, or submerged water wheels, but is propelled by means of a rotary anchor. The machinery is put into a Lake Boat of the largest class, the engine, &c., occupying the forward cabin only. When propelled at the speed of seven miles an hour, although so large a boat, and drawing two feet six inches of water, she causes no surge to injure the banks of the canal.

She has taken two heavy loaded boats of more than one hundred tons freight, over five miles an hour, and with two-thirds of her power took three scows and two lake boats, with two hundred and fifty tons freight, four miles an hour, and is capable of taking eight boats with four hundred tons freight four miles an hour, upon the enlarged canal, without extra exertion. By this method a train of boats may be towed for less than half the expenses of towing with horses. She passes the locks without the least difficulty, and has no connexion with the tow-path.—*Sun.*

### Death of Gov. Owen of North Carolina.

Just as our paper is preparing for press, the painful intelligence has reached us of the death of Gov. John Owen, which occurred at Pitsboro', Chatham county, on Saturday morning the 9th inst., at 7 o'clock.

Governor Owen filled for two years the Executive Chair of his native State, and would have been re-elected to that high station, by acclamation, if the use of his name had been permitted; but, in this matter he resisted all the efforts of his friends. He repeatedly represented the county of his residence, in the State Legislature, and filled other stations of trust and honor; and in all situations, his pleasing manners and uniform urbanity rendered him one of the most popular of our public men.

His illness, we learn, was rather lingering, but borne with a mild and cheerful fortitude.—*Raleigh Reg.*

### DIED,

In this city, Gen. CALLENDER IRVINE, Commissary General of Purchases.

J. Washington Tyson, late Surveyor of this Port succeeds him, and J. G. Watnough has been appointed in Mr. Tyson's place.

The Trial of Alexander McLeod, has resulted in his acquittal—and it is stated in the papers that he sailed in the Acadia for England. In our next No. we shall insert the charge of the Judge.

JOHN M. SCOTT, Esq., has been elected Mayor of Philadelphia, and was yesterday sworn into office.

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VOL. V. PHILADELPHIA, WEDNESDAY, OCTOBER 27, 1841. No. 17.

## Trial of McLeod.

Charge of Judge Gridley to the Jury,

*Delivered before the Court of Oyer and Terminer, Oneida  
County, New York, Oct. 12, 1841.*

Gentlemen of the Jury.—I congratulate you on your at length arriving at the present stage of this long protracted trial. After your patience having been drawn upon for six days in listening to the trial, and a day and a half in hearing the arguments of counsel, you have at last arrived at that period where you are called on to discharge the last and deeply solemn duty which devolves upon you. I congratulate you also upon the auspicious circumstances under which you approach the performance of this duty. We know it is true that a deep and fervid interest is felt in this case throughout the entire land. We are also aware that a portion of the public press has, from the commencement of the controversy, teemed with inflammatory and passionate articles. We have likewise heard of popular commotions in various parts of the county where the indictment against the prisoner was found. Still though these disturbing influences may prevail elsewhere, we can at least say that they have not entered the solemn temple of justice. If the waves of excited popular feeling have swept along in other quarters, they have not reached the portals of this building, consecrated as it is to the faithful administration of that justice to which the people and the prisoner alike appeal. During the proceedings here, it may also be remarked, we have seen attentive auditors in the persons of loyal subjects of Great Britain, who, not long since, were in arms in defence of their soil, and, on the other hand, we had the presence of more than one distinguished actor in the scenes of blood and suffering connected with the recent abortive attempt at revolution in the Canadian provinces, yet, although these individuals as well as others who have been present, must have been deeply interested auditors and spectators of what has occurred, not a single murmur has been heard—not a single ebullition of excited feeling has escaped. All has been quietness and good order, and a signal proof has been given that here is a spot where justice can be purely administered and that here, if nowhere else, the decision of an upright, intelligent, and honest jury will be acknowledged sovereign and supreme. It is under these auspicious circumstances that I invite your attention, gentlemen, to the questions connected with this great and important case.

Allow me to offer a single additional passing remark, and it is this—in order to appreciate properly the questions on which you are to pronounce your judgment, it will be necessary that you should keep your minds entirely unembarrassed by the consideration of other matters which have in reality nothing whatever to do with the merits of the case. The counsel on one side and the other, as it was their duty and right, have presented such arguments and discussed such topics as they deemed likely to serve the interests of the parties whom they represent. But the tribunal which tries has also duties to perform, altogether different from those incumbent on the advocates entrusted with the interests of those who are placed at its bar. The case of this prisoner, gentlemen, I may simply say, is to be tried like that of any other person indicted for the same offence.

VOL. V.—33

The first question is—has any murder been committed?—and the second question is—is the prisoner at the bar, guilty of that murder?

On the first question, gentlemen, the Supreme Court of this State, as you have already learned, during the progress of the trial, have passed. Their authority is binding on you and me. We are sitting here to dispense justice in the Circuit Court, and must be governed by the decision of that superior tribunal, which has sent down this issue to be tried here. That then is no longer an open question, but an adjudicated one, and with it you have no concern.

The circumstances out of which this indictment originated are briefly these:—In Dec. 1837 a body of Canadian refugees and American citizens occupied Navy Island—fortified themselves there and opened a cannonade upon the Canadian main shore, where some 2500 or 3000 men were assembled to protect their territory. Aid was offered to these occupants of Navy Island by certain individuals in Buffalo; and one William Wells, the owner of the steamboat *Caroline*, for the purpose of promoting his own interests, as he swears before you had the steamboat cut out from the ice where it lay in Buffalo Creek, and on the morning of the 29th of Dec.—the fatal day—that boat made her first trip from Buffalo to Schlosser, touching at Navy Island; and that after that, on the same day, she made two trips to Navy Island from Schlosser—that it was instrumental in carrying armed men—arms—provisions—and one piece of ordnance to Navy Island.

Farther than this it does not appear that the *Caroline* was instrumental in promoting the interests of the occupants of Navy Island. Now the colonial authorities in Canada saw fit to regard this boat as a portion of the armament of the insurgents, and resolved to destroy her. Sir Allan McNab the commander of the Provincial forces at Chippewa ordered volunteers to embark in boats, of which five reached the *Caroline* and from them she was boarded, whilst her peaceful occupants were asleep in her berths, and with cutlasses, boarding-pikes and fire arms the attacking party chased the persons on board, wounding some, killing one, and whether others experienced the same fate we know not—and then having set fire to the boat the attacking party sent her over the "Falls."

This is a brief history of the transaction so far as it is necessary for you to consider it for the purpose of understanding and deposing of this case. The acts I have described are held by the prisoner's council to have been excused in the individual performing them for the reason, first, because these acts were authorized, and secondly, because done in self-defence, and again because the whole transaction has already become the subject of negotiation between the two governments, so as to deprive this court of jurisdiction over the offence. These arguments have been laid before the Supreme Court, and that court after great research and deliberate consideration, pronounced that this act of the killing of Durfee, although performed in the prosecution of an enterprise like that I have already described, was murder, and it follows then, gentlemen, that all who were engaged in it are guilty of the same offence, and it is not necessary that the arm of McLeod should have struck the fatal blow, to render him guilty. Enough that he was engaged with others in that enterprise. This question then is to be excluded from your consideration. It has it is true been dwelt on by counsel on both sides in their opening addresses, and during the



progress of the trial. I refer to it, however, to inform you that it has been already adjudicated on and is set at rest.

Then comes the question, the important question on which you are to pass—is Alexander McLeod guilty of that murder? The Counsel for the people, have presented many witnesses before you, the tendency of whose testimony has been to show that the prisoner is guilty, and in order, gentlemen, that you may understand and appreciate this testimony, I shall briefly place it in review before you. I shall divide it into two classes—the first branch embracing the direct and circumstantial evidence, other than that arising from confessions connecting the prisoner with this charge—the second class of evidence will consist entirely of confessions.

The first witness, gentlemen, who has testified before you is Gilman Appleby. He is the only witness who was on board of the boat at the time of the attack. He was the captain of the boat—he slept in the gentlemen's cabin—he was awoke a little before midnight, as he thinks by information that there were boats approaching—he arose and partially dressed, made his way up the stairs till he found his farther progress arrested—he retreated, but again returned, and had opened the door about a foot when it was violently pushed open by some one outside, who then made a plunge at him with a sword, which glanced along two of his vest buttons and struck against the metal button of his pantaloons—he was considerably excited, but in that momentary glance he saw the features of the man thus attacking him, and his impression then was that the individual was Alexander McLeod; but with all commendable prudence and caution—for which I honor him—this witness says that amid the agitation of that moment, and in that hasty glance which passed in the twinkling of an eye, he cannot say that it was McLeod. He had once before seen the prisoner in Buffalo, and it struck him at the time that his appearance was similar to that of the individual who thrust at him, but it was only one hurried glance, and he immediately replied to the question of counsel when on the stand here, that he could not say that it was Alexander McLeod.

The next witness is Samuel Drown. He resided at Chippewa, and was engaged in tending bar for one Smith who kept a tavern there—and he says that he went up on the evening of this transaction to what is called the "Cut," and up the Niagara river—that he was at the entrance of this "Cut"—that he was at the beacon-light—saw the boats passing into the "Cut"—and then he thinks he recognized McLeod among the party embarking in the boats—it was dark—but the witness expressed the certainty of his belief that he then and there saw the prisoner. He says he went from there to Davis's tavern, where a portion of these persons came, and there by a light which shone from within the bar-room—or by a light out on the stoop, although he cannot remember any light hanging out there—he professes to have seen there again Alexander McLeod. He then says that the next morning, gentlemen, between daylight and sunrise, he heard some of the men in the tavern talking of McLeod's being wounded, and was over the opposite stoop—the witness looked across, he said, and then thought he again recognized McLeod. He says he went over to see whether McLeod was wounded—he saw no one apparently wounded, and did not see him. He was then inquired of in relation to the degree of certainty with which he could say that the man whom he saw was McLeod—and he said in reply that "he saw a man whom he called McLeod. Another question was put to him, and he then said "I mean that I am sure that it was McLeod, as that he now sits before me." This is, gentlemen, his testimony. He submitted to a long cross-examination; and how far it went to shake your confidence in his statements, it is your province, gentlemen to decide. There is, however, one consideration which I will submit to you. It is this, that when you are to judge of the credit to be attached to the testimony of a witness, it is right and proper that you should observe his manner on the stand—the degree of intelligence which he exhibits—the amount of powers of observation and accuracy of recollection—and having done so you are to decide whether his answers satisfy you that he is honest, and on the whole whether his statements are of such a character,

when taken all in all, that you can rely upon them—and if not sufficient to satisfy you altogether, you must decide in how far you should allow what degree of confidence you must repose in his testimony, and that you will bestow on it and no more. It is argued by the prisoner's counsel that the degree of darkness which prevailed then, and is testified to, was such as made it exceedingly rash for this witness to pronounce so confidently that he was able to recognize McLeod as well there as here to-day. It is also argued that he stands before you impeached as to his character for truth and veracity. And to sustain this impeachment witnesses have been called and have appeared before you, and testified that he lives near the residence of this witness, and he says that he heard him speaking on this subject, I think at some former period, when subpoenaed, and among other things he said he knew nothing in reference to this matter that could do McLeod any harm or any good. The statement which he makes of what he said is somewhat qualified. It is remarked on the other hand, that witnesses who are subpoenaed frequently make careless observations, and that this person being a poor man, might wish to avoid attendance on this trial. This is very true that persons often make careless remarks, and had Drown made such a statement in presence of any one who could have excused him from attending here, then the plea of counsel would have been entitled to greater regard from you. If in truth the facts which he has here stated were remembered by him at that time, then they were all facts material, and he could not have said consistently with truth that he knew nothing of sufficient importance to harm or benefit the prisoner. This, gentlemen, is the extent of that individual's testimony. You are to take it into your consideration, and are to exercise your judgment in reference to the effect it may have in detracting from your confidence in the evidence of Drown. I may add that in order to restore your confidence in Drown, Bates was questioned, and in reply stated that that individual's character for veracity had lately improved—that formerly he had been an intemperate man; but was now reformed.

The next witness, gentlemen, is Isaac P. Carson. He is a native of this State—a carpenter by trade—he had been at Chippewa in prosecution of his business—he testifies that he was at Macklin's store on the afternoon of the 29th of December, 1837—that he there saw Mogin, Usher and the prisoner passing out of Davis's—that he also saw him next morning at sunrise with others on the "stoop"—that he was at some little distance—that he could see only his head and shoulders—that he was telling of his exploits, and saying that he had killed a d—d yankee—that he saw him again two or three days afterwards—that he then said he would like to be on another such expedition, and burn Buffalo. This is an analysis of this witnesses testimony, which is spread over several pages of my minutes. You well recollect, gentlemen, this witnesses' cross-examination, and will judge how far that weakened the force of the statements made by him on his direct examination. There is, however, one point that demands your particular attention. This witness was inquired of as to who else were present when he heard McLeod flourishing and boasting of having killed a yankee. At first the witness could not recollect any one; at length he said he could name one Caswell. He was then asked whether he was present at this trial, and he said yes. He was then asked when it first occurred to him that he saw Caswell there that morning, and he confessed that it was that very moment. The cross-examination was protracted, and in the course of it, it came out that he had conversed with Caswell as late as the morning of the day on which he testified on the stand before you; that they talked of the affair of the Caroline, and that Caswell informed him that he was there that morning. It may be that that was all true, and that it really did not occur to him that Caswell was there, till the moment the question was put to him. But you are to judge of that.

The next witness is Charles Perkins, bar-keeper at Davis's Tavern—he testifies that the prisoner went to bed at Davis's tavern early in the day and got up between 8 and 9 o'clock in the evening—that a gentleman called for him and he went out—that half an hour or three quarters of an hour after—

wards he saw him between Davis's and the Chippewa creek—that a good many people were on the road—that McLeod went into one of the boats—that at about sunrise next morning he saw him at Davis's—that he again saw him a few days afterwards in the officer's mess-room, and there heard him say that he had killed a d—d Yankee—or something like that—at the close of his examination this witness was asked whether he could say with considerable certainty that he saw McLeod at the "Cut," and he said he could—he was asked further and said he had no doubt of it—he also states that it was pretty dark that night—and testifies also to other things, on account of which the counsel for the prisoner contends you should take his testimony with considerable grains of allowance—he testifies as to his knowledge of McLeod—and among other things says that he once went to see him in company with a brother-in-law whom he accompanied as a witness in case his evidence were necessary—that money was paid to McLeod—but although he went as a witness he cannot recollect the amount of the money paid on the occasion. It is also argued that this witness tells a very extraordinary story in relation to the manner in which he has been induced to appear here—that he started from home to make certain purchases in Buffalo—that he suspected some one who accosted him on the way with the design of arresting him to insure his attendance as a witness on this trial—that he returned home—again set out and was arrested in Buffalo before he had time to transact any business—that further he was ignorant of the laws of the State, and was so frightened by the alleged representations of Mr. Hawley that he (Mr. H.) had power to enforce his attendance here, that he consented to come. All this may or may not be the truth. This witness also testifies that he was solicited to come here by persons religiously opposed to bearing arms. Now, gentlemen, I have no opinion to express on these matters. You are the sole judges of this testimony, and with you I leave it.

The next witness is Caswell—he whom Carson spoke of, and he testifies in substance that he also saw McLeod that morning at Davis's tavern.

Then comes Quimby—he is the witness from Pennsylvania—he testifies that he resided some 2 miles from Chippewa; that he was there on the 29th with a load of hay, which he sold to the Government; that he did not get paid for it at the time of the sale; that he remained till evening; and in the course of the evening saw the prisoner at Davis's tavern; that he remained there from 9 till 10 o'clock; that he then started for home; stopped at Pettis' about a mile off all night; that he then turned back and was again in Chippewa between daylight and sunrise; that he went back to get payment for his hay at the Commissary's office: that he was going there when he saw McLeod; that he saw him on the "ridge," and that he there heard him boast of his exploits on the Caroline, and heard him declare that there was the blood of a Yankee on his sleeve. He is questioned then as to whether he expected to receive payment for his hay at that early hour, and whether there were any persons in the office, and he said there was not; that he wished to be there in good season; but did not after all get paid, and finally went home.

But, gentlemen, it seems according to the testimony of Mr. Lott, of Lottsville, Pa., that on one occasion this Quimby came with another person for the purpose of making an affidavit before Mr. Lott, who is a magistrate, and that that gentleman refused to take the affidavit, because Quimby was unworthy of credit—that he went to another magistrate by whom the affidavit was taken and sent on. Lott says that he resides in Lottsville—that the reputation of the witness Quimby while resident there was very bad—that he was not to be believed on oath—and that in informing the prisoner's counsel of his character, he (Mr. L.) had no private motives of revenge or malice to gratify. Now it is said, and it is true, that ordinarily a witness to invalidate the testimony of another, should be called from the neighborhood. But you are the arbiters of this question, and in your hands I leave it.

The evidence of Seth Hunman for whatever it is worth, is also before you. When examined before he said McLeod

was not seen by him that morning—he now says that he was. You will give this the credit you deem it deserves.

Justice F. T. Stevens is then called and sworn. He testifies that he was present on the night in question, and that he saw three boats go out and return—and he distinctly and positively swears that he saw McLeod disembark at the beacon light. That is a statement which is not corroborated by other witness, and is on the contrary, hostile to the statements of all the other witnesses on both sides. It cannot be true. He was dismissed from the stand without cross-examination. He has testified to a deliberate falsehood—a falsehood for which the palliating plea of the probability of mistake cannot be offered.

Leonard Anson is the next witness. He swears that he saw McLeod at the bar in Davis's tavern—that there were others there who took part in the expedition against the Caroline, each boasting as to who had committed the greatest crime—that there he saw McLeod draw out his pistol and declare that he had killed a d—d Yankee, and that he pointed out the blood on the stock of the pistol. This, it is contended on the part of the prisoner is an improbable story—that he could not have seen the blood on the pistol. And other considerations have been submitted to you in relation to the testimony of this individual which it is unnecessary for me to dwell upon now. You are the judges of their weight and the attention which should be given them.

These are, I believe, the only witnesses belonging to the first class of evidence against the prisoner. That is, these are the only witnesses who testify of their own knowledge as to facts unallied with confessions, which go to connect McLeod with this enterprise. And the prisoner's counsel contends that some of these witnesses have been impeached, and that others have appeared in very doubtful circumstances—that the darkness of the night was a good reason why no very great confidence should be placed in the statements of those testifying so positively that they recognized McLeod with such certainty. And that what they have thus proved is enough to throw some shade of suspicion on the whole. That is the view taken of it by the prisoner's counsel.

Whilst on the other hand, the counsel for the prosecution insist that it is a mass of testimony which you must believe and which believing you cannot doubt the fact of the prisoner's guilt. It is your province to criticise all this and pass upon it.

The other branch of the evidence is that contained in the confessions of the prisoner; and there is a principle of law applicable to that description of evidence, to which the counsel for the prisoner has directed your attention—that confessions are in themselves the most suspicious kinds of evidence—easily fabricated—and difficult to be disproved—liable to be mistaken—partially heard—partially remembered—and, unless corroborated by other testimony, the rule adopted by the elementary writers, and sanctioned by the most distinguished jurists, is, that they are the most unsafe description of testimony. Nevertheless, they are competent to be weighed, judged of, and passed upon like all the other evidence in the case. I therefore, gentlemen, call your attention to the evidence of Henry Myers; and I would admonish you that one rule by which you are to test the declarations of witnesses, is, that you are to see whether they are probable—like what men in like circumstances would do.

The last is that on one occasion whilst he was passing Niagara Falls he stopped at a tavern and saw McLeod with a number of others—that McLeod was accosted by name by another of the party—that he boasted that he had killed one d—d Yankee, or rebel—and that he compelled the witness to "treat" the party. You will judge of the credibility of this witness's story; but there is one thing he said which has not been noticed by any of the counsel, and what may aid you in passing judgment on his evidence—he said that he marked the features of McLeod well, as he determined to use him in a similar manner, if ever he got him on this side of the frontier.

The next witness is Calvin Wilson. He is the keeper of a ferry at Youngstown, in Canada, and he says that a few days after the destruction of the Caroline, he went over to Canada—went into a house where was a person of the name

of Rayncock, McLeod and others whom he named, who had been actors in that transaction, and that McLeod said one of the d—d rebels got shot on the wharf. This witness has been cross examined at length, and confessed that though a poor man with a family, he had given \$200 to the "patriot" cause, and declined answering whether or not he had harbored the notorious Lett. To rebut his testimony a respectable inhabitant of the town of Niagara, named Hamilton, was produced and testified that he well knew Rayncock, and that that individual was absent in England at the time specified by Wilson.

The next witness worthy of notice is Timothy Wheaton. He was called by permission after prosecution rested, the Attorney General supposing that there had been a reservation in favor of this witness. He deposes that about a year before he had gone from Whitby, Canada, where he lived, to Niagara—was near the ferry—saw McLeod coming up from the water side, and the witness remarked to him that the sentinels had a hard time of it—that they then talked of the Navy Islanders—and about their number, that McLeod said they never would have the Caroline there again, and added that he was the second or third man who boarded her, that then some person a stranger to witness interrupted the conversation by taking McLeod off—that he (the witness) turned from the ferry recollecting he had not a pass and went back to the town. Gentlemen you are carefully to examine this evidence and decide according to your conscientious conviction of the truth as it really is. If you believe this evidence, notwithstanding some objections to it—and notwithstanding some deductions which are to be made—if you believe that it does after all present to you an amount of evidence which is sufficient to call up the prisoner to answer—then you are to take into consideration the defence opened before you. And it is undeniable that in looking at this mass of evidence there is much that appears questionable, and much of it remains that is not powerfully attacked, and that does bear very hard on the question of the prisoner's guilt. But passing from this, you are then to look at the prisoner's side, because it is the right of every man put on trial here to present his witnesses—have them examined, and if he succeeds in establishing a defence, to have the full benefit of it.

That defence, gentlemen, is what is called an *alibi*. It is, in other words, that he had no part or lot, no sort of participation in this enterprise. And this, after the disposal of the first question already passed upon, is the only other ground of defence that exists. And in my judgment no degree of suspicion should attach to it as an original defence, because it is as I just said, the only defence that remains for the prisoner at the bar. If he were in truth upon that expedition, then is he guilty, and so you must pronounce him. But, gentlemen, if he was at that time 5 or 6 or 7 miles distant, if he had no participation in that enterprise, then the same great principles of justice require that you should pronounce him innocent.

The evidence sustaining this defence consists of the depositions of individuals avowedly participating in the expedition, and secondly of the oral testimony of several individuals showing, or tending to show, that McLeod was, during the execution of this enterprise at a distant spot, in another town.

First, then, with regard to the evidence of the commissions. The prisoner's counsel is right in telling you that evidence taken in this way, is, and should be less satisfactory than that given personally before you. But so far as the depositions themselves go to describe the individuals testifying, you may desire some information respecting the standing and character of those individuals. Some of them are lawyers—some of them mariners—and some officers in Her Majesty's service, and by their descriptions they should all be men of character and responsibility.

It has been said that this commission was a "roving commission"—that witnesses were examined whose names had not been returned. But there was in the spirit of liberality, and by consent, a stipulation made that more witnesses than those named might be examined. It was also hinted that some suspicion should attach to these depositions from the manner in which they had been made up. [The learned

judge here described the manner in which the commissions were executed, and showed that no suspicion could properly rest upon them. He then proceeded.] The Attorney General has noticed the testimony of these deponents with great minuteness, and equally great ability. He has pointed out where the witnesses have contradicted each other or the truth. For instance, some saying that resistance was made on board the boat, whereas it has been shown that there was no resistance. If the witnesses swore so knowing that they were swearing falsely, that will of course detract from their credibility. But Wells himself testifies that he heard overhead the sounds of fighting, and that in the darkness of the night and confusion of the *melee*, the attacking party had mistaken each other for the occupants of the boat, and that they fought together. If that were true, then it would not follow that in testifying as to resistance encountered on board the boat, they were not false in the corrupt sense of the term.

Passing from this, there is this other consideration, which must strike you in the outset. If when Alexander McLeod sued out this commission, and directed the commissioners to examine persons who had been in each of the boats, and if in truth he had been present there himself, he must be a bold man indeed. Because he must have supposed that the commissioners would either have taken only those who could not see in the dark whether he was there or not, or that the men would have been so corrupt as to swear falsely to extricate him from the punishment of the crime. But this is no further evidence than as it is a portion of the history of the transaction, and with these views you are to take up the testimony and ascertain, after solemn inquiry, how much credit you should give these witnesses.

It is undoubtedly true, gentlemen, that Sears cannot say with any degree of certainty, that McLeod was not on board the expedition. It is equally true that McNab cannot say so, although he superintended the embarkation of the persons engaged in the enterprise. None but the All-seeing eye could penetrate the darkness that shrouded those there associated. But, then, there are one or two gentlemen, from among inmates of each particular boat, who have been examined. Some of them knew McLeod well before that time—others became acquainted with him afterwards—some talked with and recognized all their associates—and they all testified that McLeod was not amongst them on that night. Now, gentlemen, it is proper that you should apply the rule distinguishing between positive and negative testimony. It is true that where one man swears he did see another at any particular spot and period, it is more satisfactory than when he can only say that the other was not there. But you will take into consideration the reasons which would lead you to believe that the crews of each of the boats must have well known each other, and so form a correct opinion as to their credibility when they say positively that McLeod was not amongst them. With this remark, I leave in your hands this portion of the prisoner's defence.

We come now to the proof of an *alibi*, which if sustained, can leave no doubt of the prisoner's innocence, unless you can believe him gifted with ubiquity.

The first witness to prove this is William Press. He avers that he conveyed the prisoner and another person to Niagara on the day of the destruction of the Caroline—that he knows it to be that day from the fact of having made an entry of the transaction in his cash book under that date—that he conveyed the prisoner in the evening as far as Stamford on the way back to Chippewa—that there prisoner alighted from the wagon, and went to the house of Capt. John Morrison.

William Stocking was called and corroborated the evidence of Press, and both, I may add, corroborate the statement of Hamilton respecting Rayncock's having left for Europe before the commencement of the troubles in Canada.

The family of Captain Morrison and himself swear positively as to McLeod's being there on the night of the 29th of December. Captain Morrison states that he is enabled to fix the day from the circumstance that his friend Col. Cameron, called at his gate early next morning, and informed him of the destruction of the Caroline, and gave him a frag-

ment of her ruins, which he had found in an eddy below the Falls—that he told this to McLeod, whom he found half dressed in the parlor, where he had slept during the night—that McLeod was electrified, and calling for his horse, proposed to leave immediately, but finally remained for breakfast—after which he went on his way.

Then comes the witness Gilkinson, that he met McLeod on the day after the destruction of the *Caroline*, on the road from Stamford—that they rode up together to opposite Navy Island, from which they were fired on—that one of the balls was picked up and handed to McLeod, who carried it with him—and Sears, you will recollect, states that on this day he saw McLeod and another person riding along that way, and that they were fired at from Navy Island. This testimony is also corroborated by that of Mr. McLean.

This is the aggregate of the testimony, gentlemen, on this part of the defence. The evidence of the Morrisons and the declaration of McLeod on his examination have been submitted to you and criticised by the Attorney General with great ability. If he has satisfied you that the Morrisons may have been mistaken as to dates, and in particular in reference to this great epoch, and that the other witnesses corroborating them may have also been mistaken, then your confidence in this portion of the testimony vanishes. But if you decide on just grounds otherwise, then it should I think be deemed satisfactory in establishing the innocence of the prisoner.

[Mr. Spencer then requested the Court to charge the jury that the deposition of Col. Cameron corroborated essentially the statement of Captain Morrison, which His Honor did and proceeded:]

But gentlemen, if even after all, though the prisoner may in your opinion have failed completely in proving an *alibi*, yet if he have raised sufficient doubt as to his guilt, he is to have the full benefit of that doubt. The law never divides between the living and the dead—never consigns any individual to the tomb without an overwhelming amount of evidence to prove the guilt of the accused. In this spirit you are now to consider the evidence which I have fully reviewed before you.

And now gentlemen, my task is performed. Your duty remains to be done. And it is one of the most solemn trusts that can be reposed in the citizen. You are to take this case into your deliberate consideration. You are to weigh and decide on every part and portion of it. You are to call into exercise your best powers of judgment—regardless of rumors which may have reached your ears—regardless of every consideration except that of the guiding principle of justice and impartiality. And when you shall have come to your decision—and declared where the truth lies, then, with an independence that will honor you, and with the noble integrity that your country expects you to exhibit, you will pronounce your verdict. And then I trust that all who have witnessed this trial—the ability with which it has been conducted—and your patience in attending to it, will be satisfied.

If the evidence will lead you to say that he is guilty then, although your decision should wrap your country in the flames of war, you will fearlessly pronounce it—on the other hand if he be innocent you will so pronounce him, regardless of threats or murmurs or fear of rebuke—and may the God of truth enable you to decide according to those principles of truth and equity which are the foundations of the Eternal Throne.

#### Conclusion.

At about four o'clock, P. M., His Honor concluded, and the case was then given to the Jury, who retired under charge of the Constables, whilst the Court proceeded to the despatch of other business.

In twenty minutes the Jury returned to the Court house.

"Have you agreed upon a verdict, Gentlemen of the Jury?" asked the Clerk.

"We have," replied the Foreman.

"What say you, Gentlemen, do you find Alexander McLeod guilty or not guilty?"

"NOT GUILTY."

All was hushed and quiet—no excitement visible anywhere. The prisoner's keen grey eyes brightened up somewhat, and taking his hat and cloak, he slowly retired with his counsel.

#### The Gale at Nantucket.

The Nantucket Inquirer gives the following account of its destructive effects on the island:

"The new and extensive rope-walk belonging to Barker & Athearn, and occupied by Joseph James, was swept from its foundation, and torn to fragments, leaving only the tar-house, and part of the hemp-house. A large portion of another rope-walk, belonging to Isaac Myrick, at the west part of the town, was demolished. Several smaller buildings, in exposed situations on the beach, were washed away, or shattered to pieces.

A great number of chimneys, some of them from buildings nearly new, were thrown down by the forces of the wind. The walks upon the roofs of some thirty dwelling houses in various quarters of the town, were blown off.—Trees of large dimensions, flag-staffs, fences, and other exposed objects, were prostrated. The tide rose to a height almost unprecedented—reaching from two to three feet above the surface of the wharves, and extending into most of the lower streets, strewing in various directions quantities of lumber, cord wood and other buoyant articles.

At the village of Siasconset, the effects of the gale were also severely felt. The high bank, or bluff, on the front of the village, overlooking the sea gave way for some considerable extent, whereby the dwelling house of Mr. Marshall Crosby, together with two barns, were precipitated down the cliff. A Mr. Hussey, resident there, had his thigh broken by a fall down the precipice. The observatory, and two or three barns, or chaise houses, several chimneys, walks on house tops, &c., were blown down.

In fine, such a scene of devastation, from any similar cause, has not been witnessed in this place for more than a quarter of a century. We shudder at the expectation of sad tidings from abroad. Our whole coast must have experienced this terrible storm, and at some points, perhaps the visitation was even more calamitous than with us. We have cause for thankfulness that, in such a season of imminent peril, no loss of life has occurred. During the night of Sunday, especially, when every building trembled under the pressure of the furious elements, there were but few families free from alarm and consternation. On that night, literally, not many slept without rocking."

At Edgartown, the gale was also very severe—causing much damage. It carried away a considerable part of the causeway leading to the light house in the inner harbor; blew down several barns; unroofed dwelling houses; blew down chimneys, fences, &c.

#### The Gale at Rockport.

The destruction of property at Rockport, formerly a part of Gloucester, by the late gale, was very great. The Breakwater, built in 1832, at an expense of \$17,000, gave way, in consequence of which, all the fishing schooners in port, were driven on shore, and nearly all destroyed. The whole loss is estimated at \$40,000, and falls on those least able to bear it. The Gloucester Telegraph says:—

"The scene at Rockport is described by eye witnesses to have been truly sublime. The power of the wind and waves combined, may be conceived of by the fact, that vessels which had been, as was supposed, secured in such a manner as to save them from all possibility of getting loose, had their numerous fastenings snapped as if they had been but so many pipe-stems, and in an instant the vessels themselves were dashed into an hundred fragments among the rocks."

The Barnstable Patriot, in an article on the subject of the destruction by the late north-east gale, says:—

"The effects of the wind are visible everywhere around us. Buildings have been injured—trees, some of large size,



fences, corn, &c., &c., have been prostrated in many places, and vegetation generally has suffered more or less damage.

Salt works have also suffered severely in this vicinity—and a considerable damage has been done about our wharves, by boats being stove—and the tides flowed to such an unusual height, as to sweep them of almost every moveable article, besides overflowing our salt meadows, and carrying off hundreds of tons of hay."

The Caledonia.

By the packet brig Acadian, Capt. Jones, at this port yesterday from Halifax, N. S. we learn that the steamship Caledonia, Capt. McKellar, which left here on the 2d inst. arrived at that port at ¼ before 7 P. M. on the 7th inst. after a most awful and terrific passage of over 5 days, having sustained some damage to her paddle boxes, and the loss of her life-boat. She was obliged to lay to 52 hours. The 3d officer and carpenter had their legs broken, and nine seamen were badly injured. It was doubtful whether the 3d officer would survive his wounds. She had not left Halifax when the Acadian sailed, the night of the 8th inst. The Caledonia's arrival at Halifax was looked for with great anxiety, and when she was announced below, crowds of people covered the wharf to inquire into the cause of her delay. The Morning Herald of the 8th, says: "The passengers never expected to see Halifax, nor any other port. It proves, however, the superiority of the Cunard line over the New York or any other line, for no other vessel could have stood what this boat has experienced."—*Boston Atlas*.

Extract of a letter from a passenger on board the Caledonia, dated Halifax, Thursday evening, October 7, 1841: After a long and tedious passage, we arrived here at 7 o'clock this evening, having encountered a severe north-easterly storm, which still continues. On Sunday we shipped a heavy sea, which disabled nine of the men, among them the third mate and carpenter, breaking one of the legs of the former in two places, and the thigh of the latter; burst open the hatchway of the fore-cabin, deluging the saloon, and compelling the occupants to evacuate; the other cabins were also wet, although not so badly—but it will be impossible to have them dry and comfortable the rest of the voyage. One of the boats was carried away, and the life-boat nearly so; part of the bulwarks and covering of the paddle houses were also carried away, and on Monday night the tiller ropes were in the same condition, but their want was supplied in the course of an hour or two.

The Late Gale.

Sr. JOSEPH, Sept. 21.

Our equinoctial storm came off on the night of the 24th inst. The tide was higher here than ever before known, and a considerable portion of the old wharf, (the pens of which had been cut apart for the piles of the new wharf) was carried away. No other material damage was done.

At Apalachicola the storm was of equal violence, unroofing several of the slate covered brick stores, and blowing down the market house and swamping all the small boats in the harbor.

All of the wharves were more or less injured—some entirely destroyed. The two steamboats lying at Sand Island, were scuttled and thus saved from total destruction. The steamer Chamois, on the ways about seven miles above the town, had her cabin blown off.

At St. Andrews, the water was four feet higher than in any former gale, and the only craft in the harbor, the schooner Clementina, of Apalachicola, was blown high and dry opposite Porter's landing.

Antiquity.

The Charleston Courier notices a rare literary curiosity in that city. It is a Hebrew Prayer Book *thirteen hundred and fifty-seven years old*. The Courier says it is an immense volume, written in the Hebrew character, on parchment of the finest quality, altogether with a pen, and with an accuracy and beauty that makes it a master-piece of penmanship.

The Chicago Wheat Market.

The comparatively high price of wheat at Chicago during the past month caused large quantities of that article to be taken there from a great distance. We will give the adventure of a Knox county farmer.

Mr. John Allen resides near Maquon, on Spoon river, about 35 miles back of Peoria. Early in September, loading his two wagons with 30 bushels of wheat each, one of which was driven by himself and the other by his son, he left for Chicago. They averaged 28 miles a day, and arrived about the middle of the month on a Saturday at noon.—After examining the market, he sold at \$1 10 per bushel, and on Monday collected a return load, with which he set out for home, which he reached again after an absence of 14 days.

The return load consisted of 2 bbls. (a little over 11 bushels) Onondaga salt, for which he paid 50 cents per bushel: half barrel of white fish, \$3 75; a set of double harness, \$15; and a lot of window sash, 10 by 12, made by hand, 4 cents a light—(the machine sash could be had for 3 to 3½.) He also brought a load of household goods for a family who had just landed at Chicago, bound for French Grove, in this county, within a half day's drive of Maquon, for which he received 75 cents per 100 lbs., making \$16 50 for the load.

His whole expenses on the road, going and returning, were \$16. For meals he paid generally 25 cents, sometimes less; and for lodging 12½. For his horses at hay at night 12½ each when they were stabled, which was about two-thirds of the time, they being "tied out" the other third.—For oats and corn on the road, 19 to 25 cents per bushel.

The return load is worth at Maquon as follows; Salt, per bushel, \$1 25, or \$13 75 for two bbls.; ½ bbl. fish, \$7 50; harness, \$26; (of the quantity of sash we omitted to inquire—the price here is 10 cents per light.) We can now see how the account current stands:

60 bushels of wheat at \$1 10.....	\$66 00
Expenses on road .....	16 00
Clear receipts for wheat.....	50 00
Cost of 2 bbls. salt .....	\$ 5 60
½ bbl. fish.....	3 75
window sash, (say) .....	4 00
set of double harness.....	15 00
	\$28 35

These are worth here—

Salt \$13 75; fish 7 50 .....	\$21 25
Sash 10; harness 26.....	36 00—57 25
	28 90
Add loan of household goods .....	16 50
	45 40
Add clear receipts for wheat.....	50 00
	\$95 40

Making \$95 40. For the two loads of wheat, if sold here, he would have received \$30, or \$65 40 less. He might have made something, however, on a back load, say \$15 40, so that he is the gainer by having gone to Chicago 50 dollars. If we suppose the time, over and above which it would have taken to come to Peoria, was worth 25 dollars, still there is a clear saving of just this sum, or 25 dollars.

We do not offer this statement to induce other farmers now to follow Mr. A.'s example. Wheat has since fallen to 80 cents per bushel, and it is clear that should they fail of a good return load, they had much better sell here for 50 cents.—*Peoria Register*.

Jersey City.—There are in Jersey city 440 houses; vacant lots 943; householders 580; single men 206; total population 3,215. Value of real estate State and county tax \$100,150; do for city \$1,770 25; personal property \$9,150. [*Newark Daily Advertiser*.

**Tobacco Inspections of Virginia and Stocks for  
years 1840 and 1841.**

	Inspections.	Stocks.
September 30th, 1840	58,034 hhds.	13,829 hhds.
“ 1841	51,994 “	8,719 “

*Foreign clearances for the year ending 30th Sept. 1841.*

Destination.	Hhds. Tobac.	Tobac. Stems.	Tierces Tobac.	Bales Tobac.	Hhds. Tobac. Scraps.	Cotton.	Flour.
Leith.....	660	...	115	...	...	...	....
London.....	8169	...	2274	...	...	1460	....
Bremen.....	1504	3843	...	...	18	...	....
Amsterdam....	347	551	...	...	...	...	....
Antwerp.....	2026	218	...	148	...	57	....
Cowes, &c....	2785½	...	...	...	...	1213	....
Marseilles....	1748	...	...	...	...	74	....
Bordeaux.....	1137	...	...	...	...	...	....
Pernambuco ..	...	...	...	...	...	...	7815
Liverpool.....	5602	...	395	...	...	1127	619
Havre.....	3943	...	...	...	...	458	600
Jamaica.....	...	...	...	...	...	...	1150
Havana.....	...	...	...	...	...	...	561
Kingston.....	...	...	...	...	...	...	1200
Rotterdam....	2150	1462	3	...	...	...	....
Gibraltar.....	722	...	336	...	...	58	171
Glasgow.....	924	...	212	...	...	918	....
Bolivia.....	...	...	...	...	...	...	2445
Genoa.....	950	...	...	...	...	...	....
Barbadoes.....	...	...	...	...	...	...	1200
Bristol.....	468	...	65	...	...	...	....
Leghorn.....	440	...	...	...	...	...	....
Rio.....	...	...	...	12	...	...	25600
Trieste.....	562	...	3	...	...	...	....
Bahia.....	...	...	...	...	...	...	1764
	34442½	5074	3403	160	18	6345	43125

Estimated value of foreign and coastwise exports from the ports of Richmond and City Point, Virginia.

Tobacco 31442½ hhds. vld at \$125 per hhd.	\$4,305,312 50
Stems “ 6974 “ 20 “	121,480 00
Tcs. “ 3403 tierces “ 50 per tierce	170,150 00
Bales “ 160 bales “ 30 per bale	4,800 00
Scraps “ 18 hhds. “ 20 per hhd.	360 00
Cotton 6,345 bales “ 40 per bale	253,800 00
Flour 43,125 bbls. “ 5½ per bbl.	237,187 00

Estimated value of foreign exports	\$5,093,089 50
“ coastwise shipments	4,250,000 00

Sept. 30th. Total value of exports for 1841 \$9,343,089 50  
For year ending 30th Sept. 1840, the estimated value of foreign and coastwise exports 8,068,895 50

Excess in 1841 \$1,274,194 00

N. B. Under the class of tierces Tobacco strips in half hhds. and manufactured Tobacco for foreign shipment are embraced.

**BAGWELL, SMITH & JONES.**

Richmond, October 18, 1841.

**New Channel in the Delaware.**

Commander Thomas R. Gedney, it is stated, has recently discovered a new channel into the Delaware Bay. This channel runs in a W. S. W. direction from Cape May, is about a quarter of a mile wide, has 17 feet at low water, and saves the circuitous course around the overfalls of vessels bound into the Delaware from the northward.

**Import Duties.**

The following circular from the Treasury Department, addressed to officers of the customs, contains information interesting to importers:

TREASURY DEPARTMENT,  
First Comptroller's Office, October, 1841. §

Sir—Since the transmission of the circular of the 30th ultimo from this office, further inquiries in reference to the duties chargeable under the act of 11th September, 1841, “relating to duties and drawbacks,” have induced the following views and opinions of this office:

The first section declares, “That on all articles imported into the United States from and after the 30th day of September, 1841, there shall be levied, collected and paid on all articles which are now admitted free of duty, or which are chargeable with a duty of less than twenty per centum ad valorem, a duty of twenty per centum ad valorem, except, &c.”

Among the articles thus referred to, and now to pay a duty of twenty per cent. ad valorem are, worsted stuff goods (properly so called) and shawls, and other manufactures of silk and worsted, and manufactures of silk, or of which silk shall be the component material of chief value, coming from this side the Cape of Good Hope, except sewing silk; the foregoing articles and manufactures being declared free of duty by the act of 2d March, 1833, section fourth.

All manufactures of silk, or of which silk shall be a component part, coming from beyond the Cape of Good Hope, except sewing silk, having been charged with a duty of ten per centum ad valorem by former laws.

Laces; of thread or silk, and lace veils, lace shawls or shades of thread, or silk, paying under former laws a duty of twelve and a half per centum ad valorem, or being exempt from duty:

Blankets costing less than seventy-five cents each, and paying under former laws five per cent. ad valorem.

From the foregoing articles of manufacture, as now paying a duty of twenty per cent. will necessarily be distinguished articles of manufactures enumerated and paying higher rates of duty than twenty per cent., as ready made clothing, of whatever material composed, paying under former laws fifty per cent. ad valorem; millinery and hosiery, of whatever material composed, paying under former laws twenty-five per cent. ad valorem; mits, gloves and bindings, of whatever material composed, paying under former laws twenty-five per cent. ad valorem:

Coach laces, of whatever material composed, paying under former laws thirty-five per cent. ad valorem.

There will be paid under the recent law the following rates of duty on the manufactures mentioned, viz: on manufactures of worsted or combed wool, as shawls, table covers, and similar articles, twenty per centum ad valorem; on manufactures of worsted and cotton, twenty-five per centum ad valorem; on manufactures of silk and cotton, or worsted, silk and cotton, silk being the material of chief value, twenty-five per centum ad valorem; on manufactures composed of worsted, and hemp or flax, decided by the courts under former laws in the case of sealots, composed of worsted and linen, to be an unenumerated article, twenty per centum ad valorem.

You will be governed accordingly in the practice of your office.

J. N. BARKER,  
Acting Comptroller

**Sale of Real Estate in Boston.**

That valuable tract of land at the corner of Tremont and Boylston streets, known as the Head estate, was sold at auction on Friday, and the prices were as follows:

On Tremont street: Lot No. 1, \$3 55 per foot; No. 2, \$2 90; No. 3, \$2 65; No. 4, \$2 90; No. 5, \$2 65.

On Boylston street: Lot No. 6, \$1 92½; No. 7, \$1 92½; No. 8, \$1 72½; No. 9, \$1 75.

Back Land: No. 10, \$1 60; No. 11, \$1 75; No. 12, \$1 80.—*Atlas.*

# COMMERCE OF THE UNITED STATES.

Statistical view of the commerce of the United States, exhibiting the value of imports from, and exports to, each foreign country; also the tonnage of American and foreign vessels arriving from, and departing to, each foreign country, during the year ending on the 30th of September, 1840.

COUNTRIES.	COMMERCE.				NAVIGATION.			
	Value of imports.	Value of Exports.			Am. Tonnage.		For. Tonnage.	
		Domestic produce.	Foreign produce.	Total.	Entered the U. S.	Cleared from the U. S.	Entered the U. States.	Cleared from the U. S.
Russia.....	\$2,572,427	\$234,856	\$934,625	\$1,169,481	15,724	6,018	2,820	477
Prussia.....	59,304	43,353	43,115	86,468	536	506	....	1,577
Sweden and Norway.....	1,217,913	435,092	115,134	550,226	7,145	1,118	10,899	5,936
Swedish West Indies.....	57,545	93,710	3,610	102,320	1,655	2,203	....	139
Denmark.....	7,501	76,183	17,868	94,051	....	324	286	1,352
Danish West Indies.....	969,177	918,931	180,518	1,099,449	28,375	27,700	1,412	1,197
Hanse Towns.....	2,521,493	3,367,963	830,496	4,198,459	12,717	17,849	38,177	42,324
Holland.....	1,074,754	3,345,264	511,046	3,856,310	15,133	31,747	3,986	11,929
Dutch East Indies.....	817,897	132,751	202,552	335,303	2,364	1,828	370	485
Dutch West Indies.....	396,479	259,438	42,916	302,354	7,820	3,790	893	1,153
Dutch Guiana.....	37,766	52,118	....	52,118	6,214	5,729	....	....
Belgium.....	274,867	1,834,229	486,426	2,320,655	9,435	19,507	582	7,667
England.....	33,114,133	51,951,778	5,096,882	57,048,660	368,772	388,512	128,001	129,213
Scotland.....	525,217	2,022,636	28,304	2,050,940	8,729	10,799	12,865	10,433
Ireland.....	98,349	217,762	....	217,762	965	2,732	11,922	351
Gibraltar.....	32,567	643,344	257,110	900,451	2,155	11,312	....	877
Malta.....	28,471	14,610	45,386	59,996	145	449	....	....
Mauritius.....	....	8,319	153	8,472	257	....	510	....
Cape of Good Hope.....	32,324	35,816	197	36,013	922	650	....	160
British East Indies.....	1,952,461	280,404	351,791	632,195	9,715	5,742	....	....
British West Indies.....	1,048,165	2,907,584	58,000	2,965,584	54,899	78,224	29,294	13,364
British Honduras.....	158,353	132,095	58,371	190,466	3,943	5,048	1,353	1,708
British Guiana.....	10,973	118,896	538	119,434	1,298	6,349	5,288	1,233
British American Colonies...	2,007,767	5,889,215	204,035	6,093,250	373,149	357,073	387,947	401,805
Australia.....	122,141	84,847	6,022	90,869	1,868	1,368	....	232
British African ports.....	....	....	....	....	143	312	205	....
France.....	17,572,876	18,919,327	2,922,227	21,841,554	113,907	153,128	25,892	25,409
French West Indies.....	335,251	483,595	30,656	514,251	13,757	25,612	5,303	1,255
French Guiana.....	....	....	100	100	3,177	1,925	....	....
Bourbon.....	....	....	....	....	....	....	....	242
Hayti.....	1,252,821	945,365	81,849	1,027,214	21,193	20,663	967	2,818
Spain.....	1,684,665	353,419	8,874	362,293	35,447	8,166	2,792	2,419
Teneriffe and other Canaries.	150,522	11,816	11,579	23,395	2,642	713	473	368
Manilla and Philippine islands	450,251	90,589	30,927	121,516	3,570	809	....	....
Cuba.....	9,835,477	5,331,471	979,044	6,310,515	174,920	192,548	14,776	15,679
Other Spanish West Indies...	1,898,732	770,420	29,208	799,628	40,822	22,559	713	952
Portugal.....	222,884	97,341	5,724	103,065	14,039	3,851	2,365	587
Madeira.....	309,524	93,819	22,858	116,677	2,470	3,963	....	....
Fayal and other Azores.....	38,138	10,471	5,623	16,094	1,211	1,089	....	....
Cape de Verd islands.....	29,348	82,611	2,809	85,420	384	2,262	....	946
Italy.....	1,157,200	1,189,838	283,347	1,473,185	8,363	8,071	1,436	2,602
Sicily.....	649,525	303,217	33,923	337,140	17,622	1,006	4,578	3,176
Ionian islands.....	43,027	....	....	....	....	....	....	....
Greece.....	5,138	....	....	....	....	....	....	....
Trieste.....	373,365	1,590,356	196,264	1,786,620	3,025	11,828	1,842	6,081
Turkey.....	563,476	119,745	156,873	276,618	5,443	2,187	800	....
Morocco.....	62,138	....	....	....	145	....	121	....
Texas.....	303,847	937,072	281,199	1,218,271	36,152	41,177	961	530
Mexico.....	4,175,001	969,938	1,545,403	2,515,341	14,733	13,348	3,709	3,025
Venezuela.....	1,355,166	554,267	229,605	783,872	13,605	9,386	1,173	920
New Grenada.....	217,382	57,922	77,329	135,251	1,622	1,000	732	882
Central America.....	189,021	130,661	87,285	217,946	446	721	....	....
Brazil.....	4,927,296	2,145,863	360,711	2,506,574	32,588	34,189	5,578	1,764
Argentine Republic.....	293,562	280,144	89,132	369,276	....	....	....	....
Cisplatine Republic.....	494,402	82,102	67,628	149,730	6,680	8,197	161	230
Chili.....	1,616,859	1,372,254	356,575	1,728,829	4,862	7,414	....	....
Peru.....	438,495	....	....	....	1,137	667	....	....
Republic of Ecuador.....	28,685	....	....	....	....	....	....	....
South America, generally....	....	96,042	28,291	124,333	....	262	....	....
China.....	6,640,829	469,186	540,780	1,009,966	14,771	3,360	....	....
Europe, generally.....	....	63,976	....	63,976	....	196	....	....
Asia, generally.....	284,452	170,734	138,092	308,826	3,462	2,787	....	....
Africa, generally.....	372,537	511,215	43,048	554,263	6,156	7,133	771	900
Arabia.....	....	....	....	....	....	....	320	320
West Indies, generally.....	....	376,715	2,514	379,229	....	17,103	....	1,769
South Seas.....	13,762	177,229	65,200	242,429	43,184	48,429	....	....
Sandwich islands.....	16,293	....	....	....	....	....	....	....
Atlantic Ocean.....	....	....	....	....	878	4,096	....	....
North-west coast of America.	....	720	540	1,260	308	100	....	....
Uncertain places.....	1,525	....	....	....	147	175	90	....
Total.....	107,141,519	113,895,634	18,190,312	132,085,946	1,576,946	1,647,009	712,363	706,486

### Schools in Maine.

From the published returns for 1840 of Common Schools in Maine, prepared by the Secretary of State (to whom we are indebted for a copy) the following statement is derived.

Population of the 13 counties per census		
in 1830	399,462	
1837	473,280	
1840	501,796	
No. of scholars between 4 and 21 years by census for surplus revenue.....	198,173	
Do from returns.....	189,991	
No. of school districts returned .....	3,477	
No. usually attending school in 1840—		
By Master .....	95,044	
Mistress.....	84,014	
Ratio per cent. of scholars usually attending school to the whole population in 1840, viz: by Master.....	18	
Mistress .....	16	
Ratio per cent. of scholars usually attending school to the whole number returned in 1840, viz: by Master.....	48	
Mistress.....	43	
Average number of weeks each school has been kept, viz: by Master.....	6w.	5d.
Mistress.....	9w.	4d.
Amount required by law to be raised and expended annually .....	\$200,718	40
Amount of bank tax received in 1840 per Treasurer's books.....	44,570	20
Amount actually raised from all sources and expended as shown by the returns of 1841, viz: Taxes on polls and estates .....	179,808	71
Annual school fund or bank tax as returned.....	38,785	97
Subscription .....	2,199	44
All other funds .....	11,606	43
Total.....	\$232,400	55
Amount expended for each scholar returned in 1840.....	1d	22c 4m
Average wages of teachers per month, including board, viz:		
By Master .....	\$20	91
Mistress.....	8	91
No. of Academies, High Schools or private Schools.....	183	
Average number of weeks each has been kept during the year.....	22	
Average number of scholars during the year	4,140	
Average price of tuition per week for each scholar.....	26 cents.	

### Indiana Sinking Fund.

The Commissioners of the Sinking Fund, Ia., have advertised a large number of parcels of real estate, for sale on the 11th December 1841, in Indianapolis. This real estate was mortgaged to the State, to pay the interest on the Sinking Fund of the Indiana debt. The real estate is located in different parts of the State, and the total amount due is large. The land will be sold for the amount of the mortgage debt, and some of it is to be on long credit.

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### The Salem Tunnel.

There is seldom seen on any of the many excellent railroads with which this country is favored, a more interesting section than that which passes through or under the city of Salem in Massachusetts. This tunnel extends about 150 yards, passing under, and parallel to the centre of Court street, which is one of the broadest and handsomest streets in the city. The tunnel is ventilated and lighted by three conical apertures—which appear in the middle of the street, and six or eight rods apart—each of which is surrounded by an elegant iron fence, of which four of the posts extend about ten feet high, and bending inward, unite in the support of a large street lamp and lantern. These conical fabrics of ornamental iron work serve as ornaments to the street, while they protect these vertical windows of the railroad. A traveller whose motive is curiosity, will seldom behold a more interesting sight than that of the subterranean passage of a train of long, splendid cars, as seen by him while standing in the middle of a popular street, leaning on the railing, and looking down into one of these well finished shafts, as one looks into a common well. In a stranger, who should not be acquainted with the circumstances, this phenomenon, followed as it usually is by the ascent of a volume of smoke, would be very likely to produce a considerable degree of astonishment, if not of consternation.—*N. Y. Mechanic.*

### Cranberries.

In many parts of the Commonwealth, cranberries are quite an object with the farmer. A vast many are gathered in the northern towns of Middlesex, but we know of no lands which produce more than some of the meadows in Sherburne. Mr. Albert Ware has extensive fields of them, and it is believed he has gathered upwards of two hundred bushels from a single acre. Such land is now valued higher than any which is used for farming purposes; and when it is considered that the cranberry, under proper *flooding*, produces its fruit without interruption for a succession of years, and that fifty bushels are sometimes gathered by one man in a single day, we may conceive of the high value set upon such meadows.—*Mass. Ploughman.*

### The Hendrik Hudson.

The new packet ship Hendrik Hudson, Capt Morgan, arrived yesterday from Portsmouth in twenty-three days, bringing eighty cabin passengers—a much larger number than any packet ship ever brought over before. Two months and twenty-six days ago yesterday, she was on the stocks in Westervelt & Mackay's yard at the Hook, and in this time she has twice crossed the Atlantic, with full cargoes and full of passengers. A lady who went out in the Hendrik Hudson, has been absent nine weeks and four days, and passed four weeks in England with her friends. This is crowding hard upon the steamships. While in London dock, the ship was visited by thousands of persons, among them a large number of the nobility, and officers of the Navy. She was greatly admired by all.—*N. Y. Express.*

### Mortality among the Shell-fish.

The Newbern, N. C. Spectator says:—We have been informed that dame nature has performed a most singular freak among the testaceous tribe, in the county of Cabarres.

The scallops, oysters and clams have taken the scarlet fever, and all are found upon being opened to contain a quantity of blood and bloody gelatinous matter. This is a singular fact in the natural history of these marine productions, and deserves investigation.

Our informant states that a similar affection seized them just before the last war.

### Registry.

We understand the whole number of names registered in this city is less than thirty thousand. In the 8th ward the number is 2,987, and in the 7th about 2,700—at least 2,400 short of their full vote.—*N. Y. Express.*



## MESSAGE

OF GOVERNOR POLK OF TENNESSEE.

*Fellow-Citizens of the Senate**and of the House of Representatives :*

In discharging the duty devolved upon me by the Constitution, by giving to the General Assembly information of the state of the government—and recommending to their consideration such “measures” as are deemed to be “expedient”—it is a source of satisfaction to believe—that within the last two years nothing has occurred in the State administration to diminish or to impair the prosperity of our people, or the growing importance of the State as a member of the Union. Order has prevailed, and the laws as far as I am informed, have been faithfully executed. All the elements of our accustomed prosperity, afforded by a genial climate and a fertile soil—the enjoyment of usual health and the inestimable blessings of civil and religious liberty, continue to exist. A people thus favored over millions of the human race in other parts of the world, should be ever mindful of the high obligations they owe to the author of all good, in whose hands are the destinies of nations and of men, and upon whose wise councils they are dependent for the preservation and continuance of those blessings.

Whilst the products of the labor of the agriculturist have been rewarded with fair prices, habits of frugality and economy within the last two years, have been in a great degree substituted for that spirit of extravagance and speculation, which had for some years prevailed in every portion of the Union. Prudent men, with few exceptions, chiefly among the mercantile and trading classes who had extended their business and speculations beyond their means, and became too deeply involved entirely to recover, have been enabled to relieve themselves from much of the pecuniary pressure and embarrassment under which they labored.

Ours is essentially an agricultural State. Nineteen-twentieths of our population are cultivators of the earth, and the protection of their interests therefore, at the same time that the just rights of others shall not be impaired, should at all times be an object of paramount consideration.

*Banks—Resumption.*

It has but too frequently happened that the course of legislation and the operations of banks in many of the States, have been made to take a direction to favor the supposed or real interests of large dealers and speculators to the manifest prejudice of the farming and planting classes. What the farmer or planter should most desire is, a regular course of policy, steadily pursued, by which prices may remain settled and not be subjected to great and sudden changes, often brought about by extended bank credits to a small class, who have overtraded or engaged in visionary or disastrous speculation.

There is reason to believe that it was by a course of favoritism of this kind, in extending enormous loans to a few large commission and trading houses, to the almost total exclusion of smaller dealers, and the body of the community, that much of the embarrassments which fell upon our banks a few years ago, and through them upon the people, is mainly to be attributed.

The suspended debts of our banks, it is believed, will be found to consist chiefly, in demands against a very few of the larger borrowers, with some of whom it is known they have been compelled, for their own security, to compound by the purchase of real estate and other property, which has become for a time dead in their hands, and is alike unavailable to themselves as banking institutions, and to the community as affording to them the means of furnishing to the people a sound convertible currency. It is understood that our banks are now rapidly converting these and other unavailable, into available means, thus placing themselves in a position of increased strength, and it is hoped they may, for the future, profit by the experience of the past.

Other causes, which contributed to the embarrassment of our banks, in common with most of the banks of other States upon the occurrence of the general commercial revulsion which took place in May, 1837, were so fully presented in my message to the last General Assembly, that it is deemed unnecessary again to refer to them in this communication.

*Resumption.*

It was hoped and believed, when the banks of the State suspended the payment of specie a second time, near two years ago, that it would be of temporary duration. In the reports made to the General Assembly at its last session by the Boards of Directors of the Union and Planters' Banks, assurances were given that they were fully solvent, that they would be prepared to meet all their liabilities at an early day, and that they considered “their suspension as temporary.” The General Assembly having adjourned without any legislative action on the subject, I regret to say that all the banks of the State, except the Branch of the South-Western Railroad Bank at Knoxville, still continue in a suspended state. If the question of resumption be left to the voluntary action of the banks, this state of things may continue for an indefinite period of time. And the question arises whether the duty does not devolve on the General Assembly, as the immediate guardians of the interests of the people, to adopt suitable measures at their present session, requiring those institutions to return to cash payments. Whilst the suspension continues, the tax upon the active industry and labor of the State, imposed by the depreciation of their paper issues, must continue to be borne, and whilst the people are suffering the loss to the amount of this depreciation, as they have done for the last two years, it is understood that two of our principal stock banks (the Union and Planters' Banks) have since your last adjournment declared a dividend of profits among their stockholders. This is so manifestly improper, that I am constrained by a sense of duty to bring the fact to your notice. Principles of common justice require that they should pay their debts to the community before they divide profits among their owners.

During periods of suspension, banks, owned by individual stockholders, tempted by a desire to enlarge their profits, often unduly extend their business, and generally at the expense of the community in which they exist. There is no sound principle of ethics, or of public policy which should exempt banks from the moral and legal obligations which rest upon individuals to pay their debts.

They are generally composed of wealthy capitalists, who have thrown their joint funds together, and under a legislative charter of incorporation, engaged in the business of banking with a view to make profit. They are usually invested with exclusive rights and privileges which are withheld from the balance of the community; and in consideration of these, they contract certain duties and obligations to the public, which they should be required strictly to perform. The most important of these is to pay their liabilities in specie on demand—and I recommend to the consideration of the General Assembly, the necessity of making suitable provision by law to enforce the faithful observance of this, as well as of all other obligations which they have contracted. Let a future day be fixed, upon which they shall be required to resume, giving them reasonable and sufficient time to prepare to do so, without oppressing their debtors. In fixing a future day for resumption, the occasion may be a fit one to impose such additional restrictions, liabilities and penalties, as experience may have shown to be necessary, to guard the public against future suspensions. If the banks have violated their charters, the General Assembly possess the undoubted power to impose such restrictions, liabilities, and penalties, as conditions upon which they may be permitted to continue the exercise of their corporate privileges.

To ensure resumption on the day which may be fixed, and a faithful observance of their obligations afterwards, it must be made the interest as well as the duty of the banks, to conform to the legislative requirements by keeping their business in such a condition as to avoid future suspensions. As means likely to effect objects so desirable, I submit to the General Assembly, that they should not be permitted,

during a period of their suspension, and for a limited time after resumption, to declare any dividends of profits to their stockholders, and that a general provision should be made by law, requiring any of the stock banks, which shall after the day which may be fixed for their resumption, again suspend for a greater period than a specified number of days in any one year, to be placed in the hands of commissioners for liquidation and final settlement of their affairs.

It is believed to be far better for the community, that all the stock banks, which may so manage their business, as to be unable to pay promptly the demands upon them, should wind up their affairs, and let their places be supplied, if the interests of the State shall be found to demand it, by an enlargement of the capital of the Bank of Tennessee, owned exclusively by the people of the State, and under the sole control of their immediate Representatives. To sanction by the silence and acquiescence of the public authorities repeated suspensions, and often for long periods of time, is to tolerate a legalized fraud upon the note holders as impolitic as it is unjust. The loss sustained by the people by the depreciation of bank paper since the last suspension of our banks, has been far greater than the whole amount of the annual tax which they are required to pay for the support of the State Government, as will be manifest by adverting to a few facts. The average amount of bank notes of all the banks of the State in circulation during the last two years, it is estimated will not vary much from three millions of dollars.—The average rate of depreciation of these notes during the same period below specie, has been about  $8\frac{1}{2}$  per cent., being sometimes at 6, and at others at 11 per cent. This heavy loss has fallen upon the people; each note-holder bearing his proportion, whilst the bank-owners, as we have seen, have been dividing profits among themselves.

As far as my information enables me to judge, our banks are believed to be in a solvent condition, and could, if reasonable time be given, be prepared to resume specie payments permanently, without inconvenience to themselves or oppression to their debtors. The interests of the public in my judgment demand it, whilst none of the rights of the banks themselves will be infringed or impaired if they shall be required to do so. Unless efficient legislative action be had on this subject, the public can have no guaranty at what period the principal stock banks may resume, for it is a fact worthy of observation, that much the larger portion of their capital stock, it is understood, is owned by citizens of the eastern cities and of other States; and however much the local stockholders may be disposed, from a sense of propriety and duty, to return to cash payments, they may, and probably will, be controlled in their policy by their non-resident co-partners, who have no interest in common with the community in which these institutions exist, and who may be contented that they shall remain in their present suspended condition so long as they can receive their accustomed dividends.

This is not the first time we have had a suspension by the banks for a protracted period in this State. In 1819, the banks not only of this State, but generally throughout the Union, suspended payment. In 1821, and again in 1823, the General Assembly passed laws requiring them to resume, and in pursuance of these laws they did resume in 1824 and 1825. During this long suspension of five years or more, the depreciation of their paper was greater than it is at present, being at sometimes as great as 25 and 30 per cent.—This heavy loss upon the community would doubtless have continued longer than it did at that time, but for effective legislative interposition. At that time, as at the present, it was urged, chiefly by the banks themselves, their debtors, and those who hoped to obtain further loans, that it was against the public policy to force or require resumption, because, as it was said, the specie in their vaults would be taken from the State and their immediate debtors, and through them the community oppressed.

The General Assembly thought otherwise. They passed laws requiring them to pay their debts, under pain of losing their charters. They did resume and no such consequences as had been predicted followed; and the opinion is confidently entertained that no such consequences as are now

predicted would follow a resumption, especially if reasonable time be given to the banks to prepare for the same; but on the contrary, that the public interest would be greatly promoted by it.

The evil consequences apprehended by many as likely to follow resumption by the banks of our State whilst the banks of other States remain suspended, it is believed are more imaginary than real. The banks of New York and of the States east of her, it is known, did not yield to the suspension which took place in Pennsylvania and other States in her neighborhood in October, 1829; but have continued to pay specie and to maintain a sound and convertible currency. The banks of Missouri did not suspend at that time because those of the States adjacent to her territory did so, but continued to pay specie. In the specie paying States the money market is easy, and there is no pressure on the people. The banks on returning to cash payments should be in a position of strength, and may for a time, and until general confidence is restored, deem it prudent somewhat to restrict their business; but this cannot operate as any general or permanent inconvenience to the public, and would be much more than counterbalanced by the sound state of the currency which would be restored. To wait for the action of other States, is to make our policy dependent upon theirs, whilst they in turn may make theirs dependent on ours, and thus the suspension be continued much beyond the period when all solvent banks could be in condition to pay. The General Assembly of 1821 and 1823, did not wait for the uncertain action of other States, but required our banks to resume without reference to what their course might be. If this State leads off and manifests a fixed purpose to require her banks to pay, there can be but little doubt that the other States in the south and south-west will soon follow her example.

The whole subject is submitted to your deliberate consideration, in the full confidence that you may adopt such measures as will protect the interests of our common constituents from the heavy losses which they have borne and still bear by the failure of the banks to perform their chartered obligations.

In the Bank of Tennessee every citizen has a direct interest. Owned as it is exclusively by the State, it should receive the constant and fostering care and attention of the General Assembly. That institution, I am happy to state from information derived from its officers, is in a perfectly solvent condition, and can be prepared to resume payment permanently at the earliest future day which may be designated for resumption by the stock banks. Should that bank be required to resume without the co-operation of the stock banks in its immediate neighborhood, it would probably be compelled for a time somewhat to restrict its business to avoid embarrassments from their operations. To avoid this, all the banks of the State should be required to resume at the same time.

#### *State Debt—State Bonds.*

Since your last adjournment, and in pursuance of the act of the 28th of January, 1840, entitled "an act to provide for the reduction of the State debt,"—I have caused to be cancelled and destroyed, fifteen hundred State bonds of one thousand dollars each, which had been issued by my predecessor and placed in the Bank of Tennessee for the purpose of being negotiated to raise one million five hundred thousand dollars as a part of the capital of that bank. The actual capital of the bank on the 1st day of October, 1841, was three millions one hundred and twenty-two thousand, seven hundred and forty-six dollars and eighty-six cents, and consists of

Proceeds of sale six per cent. State bonds . .	\$1,000,000 00
School fund collected and proceeds of sale of	
Ocoee lands . . . . .	769,537 31
United States surplus revenue on deposit	
with the State . . . . .	1,353,209 55
	<hr/>
	\$3,122,746 86

The bank is required to pay annually out of its nett profits \$118,000 for the support of Common Schools and County Academies—the annually accruing interest on the bonds of the State, negotiated to raise \$1,000,000 of its own capital; and the interest on the internal improvement bonds, which have been, or may be issued.

The total amount of the State bonds which have been issued up to this date, for purposes of internal improvement, under the Acts of 1836, 1838, and 1840, the interest upon which the bank is required to pay, is 1,816,916 66 $\frac{2}{3}$ . Of this amount \$300,000, bearing an annual interest of 5 per cent. were issued on the 2d of July, 1838, for the improvement of rivers but not having been negotiated, remain on deposit in the Bank and no interest has been paid thereon. Exclusive of the river bonds the total amount issued is \$1,516,916 66 $\frac{2}{3}$ . Of this latter amount \$263,166 66 $\frac{2}{3}$  bear an annual interest of 5 $\frac{1}{4}$  per cent.—and \$1,253,750 bear an annual interest of 5 per cent. Of the bonds issued under the Act of 1836, bearing an interest of 5 $\frac{1}{4}$  per cent., \$66,666 66 $\frac{2}{3}$ , were issued to pay the State subscription in the Nashville, Murfreesborough, and Shelbyville Turnpike Road Company, and by the stipulations of the Company, the interest on this amount has heretofore been punctually paid by them, as it fell due, leaving the interest to be paid by the bank on \$196,500 of the 5 $\frac{1}{4}$  per cent. bonds. The annual liabilities of the bank, therefore are as follows, viz:

Appropriated for schools and academies . . . .	\$118,000 00
Interest on improvement bonds \$196,500 c.	
5 $\frac{1}{4}$ per cent . . . . .	10,316 25
Interest on improvement bonds \$1,253,750 c.	
5 per cent. . . . .	62,687 50
Interest on bonds—bank capital \$1,000,000 c.	
6 per cent. . . . .	60,000 00
	<hr/>
	\$251,003 75

The nett profits of the bank and branches, during the year ending on the 1st of July, 1841, are estimated by the president of the bank at \$260,000.

The annual liabilities of the bank will be increased by the interest to be paid on any additional amount of internal improvement bonds, which may be hereafter issued in pursuance of law, and will be diminished by the amount of the State dividends, which may be hereafter declared by the several internal improvement companies in which the State is a stockholder. Most of the works of internal improvement, in which the State is a stockholder, are as yet in an incomplete state, and no tolls have been collected, or dividends declared thereon. Upon some of them which have been completed in part, or in whole, toll-gates have been authorized to be erected, and the companies are now receiving tolls, but of so recent a date that no dividends have been paid to the State, except by a single company amounting to \$1,620.

It is believed that some of the principal roads will, when completed, yield a profit fully equal to the interest to be paid on the bonds issued for their construction, whilst others will fall short of that amount, leaving the deficiency to be paid by the bank.

The bank has heretofore met these liabilities with promptness and fidelity, and no doubt is entertained, that under proper management it will continue to do so. The interest on the State bonds has been paid on demand, and in specie, as it fell due, and the good faith and honor of the State preserved. In view of its annual liabilities, it is of great importance that the Institution shall be prudently managed and kept in a sound condition.

If from mismanagement or other casualty the bank should fail by its profits to meet the demands upon it, the deficiency must be supplied by a tax upon the people. It is deemed to be essential to the safe and successful operations of the bank, that a greater power of control over the branches than now exists, should be invested in the principal board of Directors. There must be an adequate power of control in the head, otherwise uniformity of action in the branches cannot be expected. In the absence of such a power, a single branch

may embarrass the whole institution. Whilst one branch may be expanding, another may be contracting its business, thus acting, each without concert with the other, or a common object in view, and rendering the operations of the institution as a whole at all times uncertain, if not unsafe. By the provisions of the existing laws the branches, though in many respects connected with the principal Bank, are practically and in effect independent of it. The principal board may *recommend* the policy and course of business to be pursued. But the branches may disregard the *recommendation* as they have repeatedly done since the establishment of the institution. An instance of this, among others which might be stated, is to be found in the expenditure by the branches since the bank went into operation, and without the authority of the principal board of \$71,285 82 in the purchase of lots and the erection of banking houses; and the president of the principal bank estimates that \$10,000 more will be expended by the branches for the same purpose to meet existing contracts which they have made. That this departure by the branches from the course *recommended* by the principal bank may be more clearly seen, it is only necessary to advert to the report made by the president of the bank to the last General Assembly. In that report it is stated that “the principal bank shortly after it commenced business, finding a disposition in some of the branches to erect banking houses, adopted a resolution, ‘That in the opinion of this board, it is inexpedient to invest at this time any portion of the capital or profits of the bank in the purchase of ground, or the erection of a banking house, either for the principal bank or any of its branches,’ a copy of which was forwarded to the several branches, with a *request* that they would adopt a similar course.”

No banking house was erected by the principal bank. The branches disregarded the *request*, and have gone on to purchase ground, and erect houses at the expense already stated.

#### *Lessening the number of the branches.*

It is further respectfully submitted to your consideration whether the safety of the public funds, as well as the permanent success and usefulness of the bank, would not be promoted by lessening the number of the branches. If such reduction of their number shall be deemed proper, and shall be made with due discrimination, regard being had to the commercial wants and interests of the several divisions of the State, it is believed that no local or public injury would be suffered, whilst the annual expenses would be reduced, and the institution itself be placed on a firmer and safer basis, than is likely to exist, with the present number of branches.

I have received from the President of the South-Western Railroad Bank of Charleston, South Carolina, a statement of the affairs of that bank, and of the branch thereof located at Knoxville, in this State, with a consolidated statement of both as they stood on the 1st day of October 1840, which I herewith lay before the General Assembly in conformity to the provisions of the 9th section of the act passed at Nashville, December 5th 1837, entitled “An Act to confer banking privileges on the stockholders of the Louisville, Cincinnati and Charleston Railroad Company, on certain conditions.” The capital stock furnished by the principal bank to the branch at Knoxville was one hundred thousand dollars. That Bank, much to the credit of the managers, has paid specie on demand for all its liabilities from the date of its establishment.

#### *Change tickets—Small paper bills.*

The laws prohibiting the issuance, or circulation of change tickets or small paper bills by individuals and corporations other than banks, have been evaded, and will require revision. Some of the internal improvement companies in which the State is a co-partner, it is understood have issued small paper bills in the form of scrip or checks, and put them into circulation as money, without any specie basis upon which to rest, and without authority of law.

The Bank of Tennessee by a wise provision in the act creating it, is restricted from issuing any note of a less de-

nomination than ten dollars, whilst the stock banks are in like manner prohibited from issuing any note of less denomination than five dollars.

The object of the General Assembly in imposing these restrictions was, doubtless, that the channels of circulation under these denominations should be supplied by the precious metals. That object is thwarted whilst individuals, commercial houses, or internal improvement Companies are permitted, by an evasion of the law and the well known intention of the General Assembly, to put into circulation a base and in many instances, worthless currency, which usually falls ultimately upon the holder, who has given his labor or his property for it, either wholly useless or at a ruinous depreciation; thus operating as a tax and a fraud upon the public. Whilst a spurious currency of this description is permitted to circulate, the precious metals of the same denomination will be banished from circulation and general use, and will only be obtained through the hands of brokers and others as an article of merchandise. On the other hand, if the smaller denominations of paper bills are prohibited from circulation by adequate penalties, the laws of trade, and the public wants will force the metals to take their places, whether the local banks pay specie or not, as naturally and as certainly as that water will seek its level. I recommend therefore, that after a future day to be designated, the issuance or circulation by individuals or corporations of all paper bills under five dollars, be absolutely prohibited under adequate legal penalties and if it shall be deemed necessary, in order to guard against any public inconvenience for the want of specie change, the banks may be required to pay the smaller denominations of their notes at an earlier day than that fixed for the general resumption.

[Conclusion in next number.]

#### Important Decision.

The Chancellor yesterday delivered his opinion in the causes which have been for some time pending in the Court of Chancery in relation to the redemption of the issues of the broken institutions organized under the General Banking Law. His honor *reversed* the decision and practice of the late Comptroller, (Cook,) in giving a preference to the holders of protested notes, and directed that holders of the same class of notes shall be placed upon a footing of equality in respect to the rate of redemption.—*Albany Argus*.

#### Death of Mr. Forsyth.

We regret to announce the death of the Honorable John Forsyth, late Secretary of State of the United States. He expired at his residence in this city on Thursday evening, after a short illness from congestive fever.

Mr. Forsyth was born at Fredericksburg, Va., in October, 1781. He graduated at Princeton College, in 1799. He entered the practice of law at Augusta, Georgia, in 1802. Soon after he was appointed Attorney General of the State, and rapidly rose to distinction. In 1812, he was elected a Representative in Congress. From 1814 to 1818, he was Chairman of the Committee on Foreign Affairs, in which position he sustained Mr. Madison in the war with Great Britain. In 1818, he was elected a member of the United States Senate, where he took his seat in November of that year. In 1819, he was appointed Minister to Spain where he became involved in the controversy in relation to our treaty with that country settling differences, ceding the Floridas, &c. which lasted until October, 1820. With the exception of a brief visit to the United States, he continued at Madrid until 1823, when he returned to this country, and having in the meantime been re-elected to Congress, he resumed his seat in the House of Representatives in December of that year, and was restored to the chairmanship of the Committee of Foreign Affairs, which he continued to occupy as long as he remained in that body. In October, 1827, he was elected Governor of Georgia. After filling that post two years, he returned to Washington as Senator of the United States, in place of Mr. Berrien; that post he filled from 1829 until the summer of 1834, when, on the resigna-

tion of Mr. McLane as Secretary of State, Mr. Forsyth was called to that Department by President Jackson. That office he filled during the residue of General Jackson's term, and continued to hold it until the close of Mr. Van Buren's administration, when he was succeeded in office by Mr. Webster. Mr. Forsyth has continued to reside in this city during the past summer, and had reached the age of 61 years.

[*Madisonian*.]

#### Eastern Freights.

Heretofore all goods brought here from the east have come either by way of Pittsburg and the Ohio river or by New Orleans. The former, when the Ohio river is in good boating order, is the most expeditious, though the latter is considerably the cheapest. We remember on one occasion recording the arrival here of sixty hundred weight from New York via New Orleans at an entire charge of ninety-three dollars, or a little more than 150 cents per hundred. That however was an extraordinary case, and might not occur again in several years. We remember also an instance last spring where the freight from Baltimore, via the Ohio river, did not exceed this charge, but the owner was with his goods, and succeeded in cheapening down the carriers and avoiding all commissions on the way.

By way of experiment one of our merchants (Mr. Holland) determined this fall to take the lake route, and the result is altogether favorable. He shipped 12 tons at New York on the 20th August for Chicago, by the lake steamboat line, at \$1 30 per hundred to the latter place. This of course included all charges. They arrived at Chicago on the 16th September, and remained there till the owner's return. On his arrival he contracted to have them hauled here at 80 cents per hundred, and they arrived accordingly this week in five days from Chicago. The entire charge from New York is consequently \$2 10 per hundred, with the addition of 10 cents per hundred for storage at Chicago, and the time six weeks. The sail vessels on the lakes carry for a fourth of the price charged by the steamboats, and the entire cost from New York to Chicago, by those vessels, is seventy cents per hundred. Thus if these goods had taken this conveyance, the freight would have been \$1 50 per hundred, though they might have been a week or two longer in coming.—*Peoria Gaz.*

#### Forty Fatherless Children.

Schr. Forest of Gloucester, Richmond, supposed on a fishing voyage, was lost on Cape Cod in the late gale, with all on board, eight in number. Upwards of forty children have been left fatherless in this single instance. The F. was about 60 tons burthen, and built in Essex about nine years since. Part of her stern frame, with her name on it, came on shore a few days since at Coataue, the inner eastern shore of Nantucket.—*Boston Times*.

#### Kentucky Wheat.

The Louisville Journal states that the Kentucky wheat has been deteriorating for years; and that the crops in that vicinity, this year, have proved almost an entire failure.—The cause is attributed to the farmers using as seed wheat year after year, what was raised from their own farms and off the same field. Prentice advises the obtaining, for planting purposes, wheat from the northern sections of the country, and undoubtedly the advice is a good one. Deterioration will always ensue where a practice is followed such as the above; and to succeed would contravene one of nature's general laws.

#### A New Mine.

There has been laid upon the table in the Reading-Room of the Philadelphia Exchange, a noble lump of iron ore, of the sort denominated Pipe Iron Ore, taken from the mine of Mr. Getz, about five miles north of Bethlehem, Pennsylvania. It is represented to be found in great quantities, at a depth of from two to twenty feet below the surface, the ore becoming heavier as the strata deepen.



Report of the Appraisers in the matter of the Assignment of the Bank of the United States.  
To the Honorable, the Court of Common Pleas for the City and County of Philadelphia.

The undersigned appraisers, appointed by this Honorable Court to appraise the estate and effects assigned by the President, Directors and Company of the Bank of the United States to James Dundas, Mordecai D. Lewis, Samuel W. Jones, Robert L. Pittfield and Robert Howell, in trust, &c, on the first day of May, 1841, do respectfully report :  
That after having respectively taken oaths or affirmations before the proper authority to discharge our duties with fidelity, we forthwith proceeded to make an appraisalment of the estate and effects assigned as aforesaid, according to the best of our judgments respectively. The execution of our duties appear in the "general inventory," and the descriptive schedules hereto annexed, marked from No. 1 to No. 10 inclusive, which we return as the appraisalment and inventory required by law.

[Signed] WILLIAM WELSH,  
HUGH CAMPBELL,  
WILLIAM KING.

Philadelphia, May 25, 1841.

General Inventory

Of the appraisers of assets conveyed by the Bank of the United States to James Dundas and others in trust:	
No. 1—Bonds and mortgages on books at Philadelphia.	
No. 2—Real Estate.....	\$125,000
Banking house and lot on Chesnut street, Philadelphia .....	\$270,000
Property No. 130 and 132 Chesnut street, subject to an annual ground rent of \$1,120, irredcemable.....	60,000
Do in Centre and Clearfield counties, 899 68-100 acres.....	3,000
Do Schuylkill county, 48 54-100 acres being 7-20 of 7-16 of 317 acres..	5,000
Do Coates street, Philadelphia, two story house and lot.....	3,500
Do Library street, in rear of 130 and 132 Chesnut street, east of banking house, subject to a ground rent as above stated.....	12,000
Do Library street, west of banking house .....	17,000
Do Valley Insurance lands in Schuylkill county, 900 acres, being 1-9 part of a tract of 8100 acres.....	13,500
Do in Schuylkill county, a moiety of 341 a 348 P or 170 a 153 P.....	6,500
Do No. 45 Walnut street Philadelphia, ground rent per annum, £2 9s. 9d.....	3,500
Do No. 276 Chesnut street .....	20,000
Do 274 do subject to two mortgages amounting to \$12,000.....	3,000
Do in Illinois 34 tracts, 6,801 46-100 acres.....	10,000
Do Wisconsin, 25 do 4,200.....	6,300
Do Illinois, 24 do 6,292, 30-100....	9,400
Do do 50 do 15,508 61-100....	23,300
Do do 65 do 17,803 98-100....	26,700
Do Wisconsin, 26 do 4,196 62-100.	6,500
Do on Pennsylvania avenue, two three storied brick houses and lots	2,600
Do in Lemon Hill estate.....	130,000
Do South Tenth street, corner of Clinton ground rent \$159.....	5,900
Do do adjoining above \$132 89....	6,000
Do No. 29 and 31 N. Eleventh street, mortgage \$4,000, ground rent \$28	7,500
Do in Pittsburg, between Market and Wood streets.....	10,000
Amount carried forward.....	661,000

Amount brought forward.....	661,000
Do West High street, between Schuylkill Second and Third street.....	10,000
	671,000
No. 3—Real Estate at agency, Mobile.	850,000
No. 4—A and B—Property and effects at Buffalo.....	320,000
No. 5—Stocks and loans of incorporated companies :	
Loan of Chesapeake and Delaware Canal Company.....	84,500
Do Cumberland Valley Railroad Company.....	168,000
Bonds of Williamsport and Elmira Railroad, secured by mortgage on property.....	45,000
Loan of Danville and Pottsville Railroad Company, 5 per cent. interest, guarantied by State of Pennsylvania .....	66,800
Do Beaver Meadow Railroad and Coal Company.....	58,500
Bonds of Camden and Amboy Railroad .....	20,000
Do and coupons of Little Schuylkill Navigation Railroad and Coal Company.....	55,000
578 shares capital stock Miners' Bank Pottsville.....	19,000
722 do do Union Bank of Tennessee	43,300
740 do do Pennsylvania and Ohio Canal Company.....	37,000
Bonds of the city of Mobile.....	25,600
	602,700
No. 6 B—Property and effects in District of Columbia.....	250,000
Do do at agency, Cincinnati.....	1,056,000
Do do at office, New Brighton.....	300,000
Do do do Pittsburg.....	635,000
Do do do Erie.....	300,000
Total.....	\$5,109,700

[Signed] WILLIAM WELSH,  
HUGH CAMPBELL,  
WILLIAM KING.

United States Gazette.

Stability of Bank Stock in Boston.

The object of the following communication is to show the comparative value, in August, 1838, and in August, 1841 of the bank stock in Boston, assuming the sales and quotations at the time as the standard of value. The result will show that there have been fluctuations in the value of some of the shares during the three years. It is believed that the values affixed to the shares will not materially differ from the prices in the market at the two epochs, and therefore may be regarded as the market value.  
The two following tables show the comparative value of the shares in the twenty-five banks now in operation, in August, 1838, and in August, 1841.  
In August, 1838, the capital of these banks amounted to \$17,300,000. In 1839, the capital of the Merchants' Bank was increased \$500,000, and that of the Suffolk \$250,000, while that of the Market was reduced, in 1839, \$200,000 and in 1841 \$240,000 ; the difference between the increase and the reduction being \$310,000, which, added to the above amount, makes the present amount of banking capital in Boston \$17,610,000.  
The reduction of the capital of the Market Bank in 1839 was made by the extinction of 2,000 shares which had never been paid for ; of course, the loss on its capital during the three years, from \$88 to \$62 50, or \$25 50 a share, was on 8,000 shares only. In February, 1841, the reduction from \$800,000 to \$560,000 was made in consequence of a

loss of 30 per cent. of the capital, and the par value of the shares was reduced by the act from \$100 to \$70 each.

It may be remarked, that during these three years there was some loss of dividends to stockholders. In eleven of the twenty-five banks, the amount of dividends paid was \$1,179,570, which is 4.80 per cent. per annum on the average capitals of \$8,176,666 23, and is less than 6 per cent. per annum by \$292,300, or 1.19 per cent. In eight of them the annual dividends was 6 per cent. per annum on the average capital of \$1,950,000. In six of them, the dividends have averaged 7.09 7.27 per cent per annum on the average capital of \$4,500,000. The result of the whole is, that the annual capital of these 25 banks, for the three years, averaged \$17,626,666 2-3 per annum, and the dividends averaged 5.72 408-661 per cent. per annum, and amounted to 17.17 563-661 per cent. in the three years; and the loss of dividends was \$144,800, or 82-98-661 per cent. in three years, and has averaged \$48,266 2-3, or 27-251-661 per cent. per annum. The annual dividends of the twenty-five banks, during the nine years previous to 1841, or since they first declared dividends, averaged nearly \$5.90 per cent. per annum on their capital. Besides, in 1839, the Suffolk Bank divided among the stockholders the sum of \$250,000 of its reserved profits amounting to 33½ per cent. of its capital, upon occasion of the increasing the capital to \$1,000,000, according to an act of the Legislature; moreover, the \$250,000 of new stock created in 1839, had improved 14 per cent. in August, 1841, which improvement amounted to \$35,000, besides the improvement of 6 per cent. on all the shares as mentioned in the two following tables:

Names of Banks.	Capital, Aug.'41.	Par val.	Market Value.	
			Aug. 1838.	Aug. 1841.
Atlantic.....	\$500,000	\$100	96 per ct.	94 per ct.
Atlas.....	500,000	100	75 do	94½ do
Boston.....	600,000	50	52¾ per sh	54 per sh.
City.....	1,000,000	100	99 per ct.	94 per ct.
Columbian.....	500,000	100	103 do	104¾ do
Eagle.....	500,000	100	102½ do	103 do
Freeman's.....	150,000	100	95 do	95 do
Globe.....	1,000,000	100	104 do	104 do
Granite.....	500,000	100	88 do	90 do
Hamilton.....	500,000	100	101 do	103 do
Market.....	560,000	70	88 per sh.	62½ per sh
Massachusetts...	800,000	250	95 per ct.	100 per ct.
Mechanics'.....	150,000	100	88 do	90 do
Merchants'.....	2,000,000	100	102 do	104 do
New England ..	1,000,000	100	108 do	103 do
North.....	750,000	100	96 do	90 do
Shawmut.....	500,000	100	90 do	90 do
Shoe & L'r D'lers	500,000	100	89 do	103 3-8"
South.....	500,000	100	87 do	80 do
State.....	1,800,000	60	59 per sh.	58½ per sh
Suffolk.....	1,000,000	100	114 per ct.	120 per ct.
Traders.....	500,000	100	96½ do	88 do
Tremont.....	500,000	100	97 do	99 do
Union.....	800,000	100	100 do	104 do
Washington.....	500,000	100	93 do	93 do

Thus, there was no depreciation in the aggregate of stock in the 25 banks in operation in Boston during the three years from August, 1838, to August, 1841, though there was some depreciation in the shares of particular banks.— And we doubt not that the real value of the stock, as a whole, is now decidedly greater than it was three years ago.

If we deduct from the whole amount of depreciation \$401,500, the amount of depreciation in the stock of the Market Bank, in which it is the greatest of any of the banks, we find there has been an improvement in the 24 remaining banks of \$204,375, which is an average improvement of a little more than 1 per cent. of their capital.

The above comparison presents a result favorable to the stability of bank stock in Boston, and indicates that there has in general been careful and faithful management of these institutions in this city. Were a similar comparison made

of the other banks in this Commonwealth, it is presumed that the inquiry would sanction as favorable a conclusion.

*Boston Mercantile Journal.*

**Trial of One Hundred and Twelve Men for Murder.**

The correspondent of the Illinois Free Trader gives an account of the trial of the persons charged with the murder of the Driskalls, John and William, from which the Editor of the Era has made the following extracts :

He says " the September Term of the Ogle Circuit Court has just closed, and its session has been marked by a trial, which, in the number of the accused tried in one indictment for the crime of murder, is without a parallel. One hundred and twelve men were indicted for the murder of John Driskall and William Driskall, in June last, near Washington Grove, in this county. About one hundred plead not guilty, and were put upon their trial. Judge Ford, whatever might have been his feelings, (the accused were his neighbors, Judge F. living in Ogle County) exhibited upon the bench a stern determination that the accused should be fully and fairly tried. However, the very fact of the great confusion occasioned by so many names in the indictment, left the accused without any evidence to contend against. The two or three first witnesses, whose names were endorsed upon the indictment, (and by the laws of this State none, except those whose names are so endorsed, can be called to prove the substantive part of the accusation) only knew some of the preparatory steps taken, which led to the supposed offence."

The facts connected with the killing of the Driskalls are stated as follows : That the Driskalls were a part of an organized gang, embracing a large number of persons in the county of Ogle and the adjoining counties, who carried on a *systematized* scheme of operations against the lives and property of the inhabitants. That murders, robberies and larcenies had been carried on by them for a number of years; and that owing to the extent and perfection of their combinations, it had become impossible to convict by the ordinary process of law. Perjured members of their gang swearing to alibis or such defence as were adapted for the occasion, had, for a long time, defied and defeated the course of justice. That a few days previous to the execution of the Driskalls, a Mr. Campbell, a citizen of the highest respectability, had been wantonly shot in his own yard, for his presumed exertions against this gang, and that there was sufficient evidence to leave no reasonable doubt, that the Driskalls planned and incited, and probably perpetrated, his murder. Further, that the Driskalls were the chief and most dangerous of the gang. They were shot after an examination which satisfied several hundred of the most respectable citizens of Ogle and the adjoining counties of the truth of the foregoing facts.

The case was submitted to the jury who without leaving their seats, rendered a verdict of Not Guilty. This verdict was given partially from a want of evidence, and from what the jury considered the absolute necessity of the case. The writer says the *lures* could not protect the community where the banditti committed their many enormities—the occasion was too urgent to wait for their uncertain amendment and adaptation to the emergency--individually they could not protect themselves—mob law they repudiated—they therefore resorted to a counter organization, ordained new rules of evidence, and a new mode of proceeding, such, and such only, as in their judgment were effectual to protect them.— There may be those who are disposed to cavil, perhaps to condemn. The judgments and perceptions of such, would be essentially invigorated, could they have dwelt for a short time here, and suffered the murder of their friends, the burning of their dwellings, and the plunder of their property ; and, when they called on the law to redress these wrongs, to see those whom they knew to be the perpetrators, escape with impunity.

### The Castine Coins.

There have been in most of the papers an account of the discovery of a deposit of ancient coins in the neighborhood of Castine, in the State of Maine. A friend has sent us a specimen of these treasures, to be deposited with the collections of the Antiquarian Society. It is a French coin of silver, about the size and weight of a fifty cent piece, bearing the head of Louis XIV, on one side, and the crown of France on the other, and has the date 1646. The inscriptions are as clear as when they were stamped, being but little worn or obscured by rust. They are *LVD-XIII-D-G-FR-ET-NAV-REX* and *SIT-NOMEN-DOMINIC-BENEDICTVM*. The following is from the letter enclosing the coin: "While at Castine a few days since, I learned that some silver coin had been found near that place, visited the spot, found some men engaged in digging, and saw them dig several pieces. About \$500 dollars in value has been found, mostly lying upon a rock, but scattering pieces were found in the soil for 20 or 30 feet from the rock. The discoverer of the coin is a Captain Grindle, who owns the land. The place is called Johnson's Point, on the Bagaduce river. The coins are of different denominations, varying in date from 1641 to 1692, many of them looking quite new. It is supposed by many that the coins were deposited by Baron Castine, or some of his followers, at the time his fort and residence at Castine were destroyed, and he driven away by the English, which was about 1697 or 1698. The rock upon which the coin was deposited was covered with soil, and a clump of alders growing thereon."

Some of the statements we have seen mention that a great part of the money is of the date of 1652, being the old Massachusetts pine-tree currency. These pieces are becoming more rare at this day, although they are occasionally to be met with. They always bear the date of 1652, for this reason: After the people of this colony had set up a mint, and begun their coinage, the King interfered, and forbade any further issues. This command was evaded by dating all pieces subsequently struck to correspond with those in circulation previous to the order.

Supposing that some notice of Baron Castine may be of interest in this connexion, we subjoin a brief abstract of his history:

Mons. Vincent de St. Castine was born in Oleron, on the borders of the Pyrenees, in France. His family was noble, his hereditary title being that of Count or Baron. He had good abilities, and was well educated, especially in military arts. He was at first a Colonel in the King's body guards. He was transferred from thence to the command of a regiment called the "Carigman Salieres," and about 1665 was sent with his troops to Quebec. At the close of the war his regiment was disbanded, and himself discharged from the King's service. Taking umbrage at this, he, as La Honlan describes it, threw himself upon the savages." He settled upon the peninsula, where D'Aulney had resided, and commenced a trading establishment. He was a devout Catholic, and had several Jesuit missionaries with him.

Having learned to speak the language of the natives, he taught them the use of the gun and some arts of war, and gained a complete ascendancy over them, they looking upon him as a god rather than man. He married six wives, daughters of the chiefs, and lived with them all by turns. He was thirty years in the country, and had several daughters and one son. Castine, the younger, who became chief of the tribe, and conformed in all respects to the manners and customs of the Indians, but married his daughters to Frenchmen, with liberal portions, the property amassed by him being estimated at three hundred thousand crowns.

The Peninsula, now Castine, has connected with it many associations of historical interest. It originally bore the name of a resident Frenchman, called "Major Biguyduce," (from whom the river "Bagaduce," probably derives its name, and contains about 2600 acres. The trading-house of the Plymouth Colony was established there in 1626. There were the head quarters and the fort of D'Aulney from 1640 to 1648. Baron Castine resided there for thirty years; and there the British had a garrison in the war of the Revolution, from 1779 to 1783.

The change of the name of this peninsula from Penobscott to Castine, in memory of the old Baron, was objected to by many, on the ground that Castine was ever a foe to the English, and the cause of much suffering and loss of life to the infant colonies. The arms and ammunition furnished by him to the natives, and the military arts he taught them, greatly increased their capacity to do injury, which was severely felt in the general outbreak of hostilities at the time of Philip's war in 1675, and at subsequent periods. A reward was for a long time offered for the capture of Castine or any of his family, and he was universally detested as well as feared by the English. His descendants and a portion of their tribe ultimately removed to Canada and united with the St. Francois Indians.—*Worcester Egis.*

### Report of the Physician of the House of Correction, Boston.

That the whole number of patients admitted to the Hospital for the quarter ending October 1, 1841, is ..... 116  
 Whole number received and discharged ..... 100  
 " improved " ..... 8  
 " remaining " ..... 8  
 ————— 116

No death during the quarter.

It is now nearly two years since I assumed the important and responsible duties of physician to this Institution. During that period the whole number of patients admitted to the Hospital has been *one thousand and fifteen*. Of whom, *eighteen* only have died! less than *one and four-fifths* per cent. A more favorable result, it is confidently believed, than has been attained in any other similar institution in this country. The number of "out patients" has considerably exceeded that of those who have been admitted to the wards.

Among the patients admitted, there have been 40 cases of Dysentery, 65 cases of Simple Fever, 22 of Typhoid Fever, 82 cases of Diseases of the Lungs, and 255 cases of Delirium Tremens.

2 deaths have occurred from Marasmus, 2 from Typhoid Fever, 4 from Delirium Tremens, and 1 each, from Diarrhoea, Apoplexy, Debility, Epilepsy, Pneumonia, Variola, Consumption, Gangrene of Lung, Rheumatism and Scrofula.

In a large majority of the cases, disease has been contracted previous to admission to the prison; the complaints of those who were admitted in good health are of a light and transient character. Every death, with one exception, has arisen from causes existing at the period of committal!

Of the one hundred and sixty cases of Delirium of Tremens of the last year, *one* was fatal.

JOHN S. BUTLER,

*Physician of House of Correction.*

Boston, October 1, 1841.

John Murphy, formerly Governor of Alabama, and Representative in Congress, died at his residence in Clarke co. Ala. on the 21st of Sept., in the 56th year of his age.

A considerable portion of the business part of Georgetown, S. C. has been destroyed by fire.

Died in this city on the 26th inst. Gen. Thomas Cadwalader, aged 61 years.

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[Concluded from page 269.]

MESSAGE

OF GOVERNOR FOLK OF TENNESSEE.

Internal Improvement.

The system of internal improvement established by the act of 1836, and extended by the act of 1838, has been executed in strict conformity to the provisions of the act passed on the 25th of January 1840, entitled "An Act to repeal all laws authorizing the Governor of this State to subscribe for stock in any internal improvement companies on behalf of the State, and for other purposes." All internal improvement Companies falling within the provisions of the latter act have been required to conform their action to it. A few of the companies at first objected to the constitutional validity of the act, but finally yielded to its requirements; and I cannot doubt that its operation has been such as to protect the State from impositions which might otherwise have been practised under the unguarded provisions of the acts of 1836 and 1838. At the same time that the State has probably been saved from an increased indebtedness to a large amount, no injustice has been done to the Companies. In all cases of application for State bonds, in payment of the State subscription since the passing of the act, the affairs of the Company making such application have been subjected to the scrutiny of three disinterested commissioners appointed for that purpose, who have been required to examine and inspect the work actually done and performed—what portion of the same had been paid for in labor, or the actual expenditure of money, paid in by the individual stockholders, and what portion by the payment of State bonds, issued for the benefit of such Company—to inspect the books and investigate the affairs and accounts of the Company, and if upon their report on oath, it appeared that the company making the application had conformed in all respects to the provisions of its charter, and that no fraud had been practiced on the State, the amount of State bonds to which such company was shown to be entitled, were ordered to be issued by the internal improvement board created by the act, consisting of the Governor, Comptroller and Attorney General, and were issued accordingly. In all cases where the reports of the commissioners appointed to make the investigation have not been fully satisfactory, the bonds of the State have been withheld.

The Attorney General has filed bills, which are now pending, against two of the companies in which the State has become a stockholder, for alleged violations of their charters.

None of the companies in which stock had "been subscribed on behalf of the State" have availed themselves of the provisions of the second and third sections of the act of 1840 by making a "surrender of the charter of said company" to the State. Several of them however, in which a subscription of stock on behalf of the State had been made in the year 1838 and the early part of 1839, and for whose use no State bonds have been issued, it is understood have not commenced their respective works and will probably abandon them. Of this class are the following companies, viz:—the Livingston Turnpike Company, the Murfreesborough, Manchester and Winchester Turnpike Company; and the Harpeth and Farmington Turnpike Company.

In addition to these a subscription was made on behalf of the State in the Fayetteville and Shelbyville Turnpike Company on the 7th day of Sept 1838, and on the 5th day of November, 1838, bonds of the State for \$16,000 for the use of the company were issued by the Governor and deposited in the Bank of Tennessee, where they still remain, not having been called for, and no interest having been paid thereon. I am informed that no work has been done on the road, and that it will probably be abandoned. The aggregate amount of stock subscribed for on behalf of the State in these several companies was 245,000, and by the failure of the companies to prosecute their respective works according to their charters, will not probably be required to be paid by the issuance of State bonds. Of this amount the \$16,000 of State bonds which were issued for the use of the Fayetteville and Shelbyville Turnpike Company may in the event of the abandonment of that work, be cancelled and destroyed. Upon the application of the Nashville and Kentucky Turnpike Company, the capital stock as prescribed by the charter has, in pursuance of the 8th section of the act of 24th January 1840, been reduced from \$125,000 to \$100,000—thus reducing the State subscription from \$62,500 to \$50,000.

Pursuant to the provisions of the act of 1838, the Governor subscribed on behalf of the State, for \$650,000 of the stock of the Louisville, Cincinnati and Charleston Railroad Company, and on the 21st of January 1839, State bonds amounting to \$32,000, in part payment of the State subscription, were issued, and are now in the possession of that company, but no interest has been paid thereon by the State. During the past year, it became my duty in pursuance of law to appoint a proxy to attend and represent the State of Tennessee at a meeting of the stockholders of the Company holden at Charleston, in the State of South Carolina, in the month of November, 1840.

J. G. M. Ramsey, of Knox county, was appointed the proxy to represent the State at that meeting, from whom I have received three official communications, bearing date on the 10th of Dec. 1840, and on the 24th and 27th Sept. 1841, which I herewith lay before you. I have received also a communication from the President of the Company bearing date on the 11th of March, 1841, and which is herewith laid before you.

From both of which it will be seen, that the company propose to abandon the work within the State of Tennessee, to release the State from her subscription, and to return to be cancelled the \$32,000 of State bonds issued by her, upon the payment on her part of the rateable portion of the expenses which have been incurred by the Company in making surveys and in preparing to enter upon the execution of the work. To carry into effect the proposition of the company, will require the assent of the State by legislative act; and it is recommended that such assent be given at your present session. Should such assent be given, and the several internal improvement companies already mentioned as likely to abandon their respective works, do so, the liabilities of the State under subscriptions heretofore made, will be reduced by the sum of \$907,500, as follows, viz:

State subscription in the L. C. and C. Railroad Company .....	\$650,000 00
State subscription in the Livingston Turnpike Company .....	25,000 00



State subscription in the Murfreesborough, Manchester and Winchester Turnpike Co.	100,000 00
State subscription in the Harpeth and Farmington Turnpike Company.....	30,000 00
State subscription in the Fayetteville and Shelbyville Turnpike Company.....	90,000 00
Reduction of the capital stock in the Nashville and Kentucky Turnpike Company..	12,500 00
	<hr/>
	\$907,500 00

Exclusive of these, the whole amount of the State's liabilities upon her subscriptions to internal improvement companies—upon the supposition, that the whole capital stock of each company will be exhausted, in constructing the several works, which is not probable—is \$2,346,666 66<sup>2</sup>/<sub>3</sub>, of which State bonds have been issued, amounting to \$1,516,916 66<sup>2</sup>/<sub>3</sub> and leaving a balance to be issued to complete the payment of the whole of the State subscriptions of \$729,750.

*Dividends belonging to the State—Public debt of the State.*

As connected with our system of internal improvement doubts have arisen under the existing laws, to whom the dividends, belonging to the State, which may be declared by the several internal improvement companies in which she is a stockholder, shall be paid, and it will be proper to make more specific provision upon the subject. It is suggested that they be required to be paid semi-annually, or annually, as they may be declared, to the Bank of Tennessee and its branches. It is further suggested that the several companies in which the State is a stockholder and which are completed in whole or in part, and are collecting tolls, be required to report to the Comptroller of the Treasury, at least once in each year, their financial condition—with the amount of State dividends which they have paid over to the bank and its branches. The whole public debt of the State, consists at this time of the following—viz:

State bonds issued and proceeds invested in stock of the Union Bank of Tennessee, bearing an interest of 5 per cent. which is paid semi-annually by the bank. ....	\$500,000 00
State bonds issued and proceeds invested in capital of the Bank of Tennessee, bearing an interest of 6 per cent. ....	1,000,000 00
State internal improvement bonds bearing an interest of 5 <sup>1</sup> / <sub>4</sub> per cent. ....	263,166 66 <sup>2</sup> / <sub>3</sub>
State internal improvement bonds bearing an interest of 5 per cent. ....	1,253,750 00
	<hr/>
	\$3,016,916 66 <sup>2</sup> / <sub>3</sub>

The \$300,000 of State bonds bearing an interest of 5 per cent. issued for the improvement of rivers, but not yet sold are not included in the amount of the State debt. The debt has many years to run before it falls due, and to meet it the State owns,

Stock in the Union Bank of Tennessee...	\$646,600 00
Capital in the Bank of Tennessee, being proceeds of bonds sold, and exclusive of the school fund .....	1,000,000 00
Stock paid into internal improvement companies, by State bonds issued .....	1,516,916 66 <sup>2</sup> / <sub>3</sub>
	<hr/>
	\$3,163,516 66 <sup>2</sup> / <sub>3</sub>

If the surplus revenue of the United States, now on deposit with the State, should not be recalled by the United States, that sum may be added .....

---

\$4,516,726 21<sup>1</sup>/<sub>3</sub>

With these means added to the annually accumulating profits of the Bank of Tennessee, under prudent and proper management, there can be but little danger, that a resort to taxation can be necessary to enable the State to meet it, at its maturity.

I consider it wise however, and so recommend, that provision be made by law, that any surplus profits which may

at any time be made by the Bank of Tennessee, after paying its annual liabilities, shall constitute a sinking fund to be applied to the purchasing in of the bonds of the State, which have been issued at their selling rate in the market. By adopting this course, adhering to strict economy in the State administration, and husbanding all our resources, it is believed that the payment of the debt which now exists, and that which the State is bound in honor and good faith by existing engagements to contract, may be gradually anticipated long before it shall fall due. I have never been the advocate of a large State debt; and my opinion is that all our surplus means, not absolutely needed for other purposes, cannot be better applied than in the extinguishment of the existing debt.

*The Treasury.*

The balance in the Treasury of the State on the 1st Monday of October 1841, was \$189,590 47. The receipts into the Treasury from the 1st Monday of October 1839, to the 1st Monday of October 1841, including the amount annually appropriated under the existing laws for the support of common schools and Academies, were \$543,739 79. The expenditures during the same period including the payments made for the support of common schools and academies, were \$170,748 75. Exclusive of the amount received and expended for the use of common schools and academies, the receipts into the Treasury during the same period were \$275,839 79, and the expenditures \$254,931 93.

Full and detailed statements will be found in the report of the Comptroller of the Treasury which will be laid before you as required by law.

*School Fund.*

The report of the Superintendent of public Instruction, which will be laid before you during the first week of your session, will inform you of the progress of the system of education committed to his superintendence and management—of the collections of common school funds which have been made since your last session, and of the present amount and condition of the debts due to the school fund by county agents and others. The School fund collected and invested according to law on the first day of October, 1841, consists of

Stock in the Planters' Bank .....	\$244,500 00
Stock in the Union Bank .....	38,894 00
Stock in the Farmers' & Merchants' Bank at Memphis.....	700 00
Stock in the bank of Tennessee.....	769,537 31
	<hr/>
	\$1,053,631 31

A suit in Chancery has been instituted, and is now pending against the late Superintendent of Public Instruction and his securities, for the recovery of the large balance remaining in his hands and unaccounted for at the close of his term of service. But little doubt is entertained that a recovery will be had, and it is believed the greater part, if not the whole amount abstracted from the school fund will be collected.

*Lunatic Hospital.*

In pursuance of an act entitled "An Act to carry into operation the Lunatic Hospital," passed January 6th, 1841, seven trustees were appointed on the 13th of February 1840, under whose direction, the Hospital was shortly afterwards put into operation. In consequence, however, of the limited appropriation made by that act, it has been found impossible to receive several "insane paupers," for whose admission into the Institution, application was made. It is submitted to your consideration whether—suitable provision should not be made for the reception, and accommodation of all unfortunate persons in the State for whose benefit the institution was established, and for whose admission application may be made.

*Hospital.*

A report will be made to you during your session, by the attending Physician of the Hospital, who is by law constituted Chairman of the Board of Trustees, containing such

information and making such suggestions in regard to the condition and further management of the institution as may be deemed useful in your deliberations upon the subject. I am informed that arrearages, amounting to the sum of \$2,942 34 for work and labor done by mechanics on the buildings occupied as a Hospital previous to the meeting of the last General Assembly, and upon contracts made with the commissioners under whose superintendence and direction the Hospital was at that time placed, are still outstanding and unpaid—no appropriation applicable to that object having been made. When the trustees, appointed under the act of January 6th, 1840, entered upon the discharge of their duties, the persons to whom these arrearages were due, claimed a lien upon the buildings until they were satisfied, but for the public convenience yielded up the possession of them in the just confidence that the present General Assembly would make provision for their payment;—and it is recommended that provision be made for the payment of all such claims as may be found equitable and just.

*Penitentiary.—Pardoning Power.*

A detailed statement of the condition and government of the penitentiary will be laid before you at an early day of your session in the reports which will be made by the agent and keeper and inspectors of that institution. The number of convicts in the prison on the 30th of September, 1841, was 178. The number discharged by the expiration of their sentence during the two years commencing on the 30th of September, 1839, and ending on the 30th of September, 1841, was 59. The number received during the same period was 116.

The number of deaths 1; the number of escapes 1; the number pardoned 10.

The number discharged before the expiration of their sentence, in pursuance of the provisions of the act of 1836, ch. 63, passed "for the encouragement of the prisoners to conduct themselves with industry and propriety," was 22.

By the act referred to, it is provided that "it shall be the duty of the Governor, whenever it appears from the weekly reports of the agent and keeper, that the conduct of a prisoner has been exemplary and unexceptionable for a whole month together, to commute such prisoner's term of imprisonment for any period of time not exceeding two days for each and every month he may have so conducted himself." The operation of this act has been found by experience to have a beneficial effect.

Each convict is informed of its provisions upon his entrance into the penitentiary; and presenting to him, as it does, a strong motive to conduct himself with industry and propriety, the effect has generally been to preserve order, regular habits of industry, and a ready obedience to the orders of the officers of the institution. To make it effective, I have uniformly, since I have been in the Executive office, upon receiving the favorable report of the agent and keeper, commuted a part of the period of confinement, not exceeding in any case two days in each month, and directed the prisoner to be discharged.

As far as I have any knowledge, the convicts at the same time that they have been required strictly to observe the "rules and regulations for the government of the penitentiary," as provided by law, have been humanely treated—When sick they have been regularly visited by the attending physician, and all of them who can read, have been furnished in their cells with a copy of the Holy Scriptures.—Divine service has also been occasionally performed on the Sabbath by clergymen of different denominations residing in the vicinity of the prison.

Up to the period of the adjournment of the last General Assembly, no female convict had been committed to the prison since the date of its establishment. Since that time, three females have been convicted and sentenced to be imprisoned in the penitentiary; two of whom have been pardoned, one of them before she reached the prison, and one is still in confinement.

There are no suitable apartments in the prison buildings for the reception and safe-keeping of female convicts, and it is recommended that such be provided, and that the agent

and keeper be authorized to employ a matron or matrons, under whose immediate superintendence and care, all female convicts hereafter received into the institution shall be placed. The place provided for their confinement, should be separate and apart from that provided for the other convicts, and there is a manifest propriety in placing them under the immediate government and control of aged persons of their own sex.—Such a regulation has been found to be necessary, if not indispensable, in the best regulated prisons and houses of correction in our sister States. The efficacy of the laws for the punishment and prevention of crimes, consists, in a great degree, in the certainty with which they shall be enforced and executed. Within the last two years numerous applications for pardons have been refused. Comparatively few have been granted, and those only in cases where the circumstances were such as to induce the belief that they were proper in themselves, and in which, the discharge of the prisoner would not impair, but be likely to promote the ends of public justice.

In the criminal codes of some of the States in which the system of penitentiary punishment has been adopted, a discretionary power has been vested in the Executive to commute the sentence of death pronounced upon the commission of the higher offences, for imprisonment for life. No such discretion is vested by our laws in the Executive. The criminal convicted of a capital crime in this State, must either be executed or receive a full pardon and be discharged.—Cases of conviction of capital offences, are often followed by strong and powerful appeals to the Executive clemency—The circumstances adduced may be such as to raise doubts of the propriety of the execution of the sentence, and yet not such as fully and satisfactorily to show that it would be proper to turn the convict loose, without inflicting sufficient or adequate punishment. In all such cases, if the Executive were invested with power to commute the sentence for imprisonment for life, society would be rid of the offender, and if at any time afterwards, it should be made clearly to appear by after discovered testimony or otherwise, that the convict was a fit subject of Executive clemency, he could be discharged as in other cases; and I recommend that such an amendment of our criminal laws be made.

There has been paid into the Treasury by the penitentiary during the two years from September 30th, 1839, to September 30th, 1841, the sum of \$5,333 32, and paid out of the Treasury to defray the expenses of conveying convicts to the prison after conviction \$6,470 40. By the law as it now exists, the articles manufactured at the penitentiary, are authorized to be sold on credit, and as was to have been expected, some of the debts contracted have been lost by insolvency, or the removal of the debtors beyond the limits of the State, and sometimes to parts unknown. If the credit system be continued, it is recommended that the laws be so modified, as to limit it to a specified period of time, and to require, that all debts not paid at maturity, be put in a course of collection by suit without distinction as to the persons who may be the debtors.

*Muskets and Accoutrements.*

In the month of November last, 1820 muskets and accoutrements were received from the United States, being the quota of public arms to which this State was entitled for the years 1839 and 1840, under the provisions of the act of Congress of 1808, for arming and equipping the militia of the United States.

*Public Arms.*

The proportion of public arms of the State, equal to the proportion which the first division of militia bears to the whole military strength of the State, have by my order, been transported to Knoxville and placed on deposit at that point, in pursuance of the provisions of the 143d section of the act passed at Nashville, on the 28th of January, 1840, entitled "an act to condense, and bring into one view the militia law of the State of Tennessee." The proportion belonging in like manner to the fourth division of militia, have been ordered to be transported to Jackson and placed on deposit at that point in pursuance of the 145th section of the same act.

The whole number of public arms as nearly as I have been enabled to ascertain belonging to the State, now on deposit in the arsenal at the penitentiary, at Knoxville, and at Jackson, consists of 8591 muskets, 349 Hall's patent rifles, 500 yaugers, 20 carbines, 882 pistols, 245 horsemen's swords or sabres, and one field piece, (a six pounder) with accoutrements for each description of arms.

The whole number of public arms belonging to the State, which have at different times been distributed to volunteer companies, and are now in their use and possession, consists of 1069 muskets, 524 pistols and 262 horsemen's swords or sabres, making the whole number of public arms now on deposit at the penitentiary, at Knoxville and Jackson, and distributed to the militia, one field piece, 9,660 muskets, 349 Hall's patent rifles, 500 yaugers, 20 carbines, 1406 pistols, and 507 swords or sabres. Finding that the proportion of arms belonging to the State for the use of cavalry was small as compared with the number for the use of infantry, and that more applications were made by uniform companies of cavalry for the use of them, than could be supplied—one-half the quota of arms due to this State, from the United States for the year 1841, have been ordered to be forwarded in arms of this description, and the other half in muskets.

#### *Enumeration of the Inhabitants.*

In pursuance of an act, entitled "an act to provide for the taking of the enumeration of the free white male inhabitants of the State of Tennessee," passed January 29th, 1840, the Secretary of State will lay before you, all the returns which have been received by him containing the number of free white male inhabitants of the respective counties, who are twenty-one years of age and upwards," and who were resident citizens of their counties on the 1st day of January, 1841.

#### *Apportionment of the Representatives.*

Your attention is called to the 4th section of the 2d article of the Constitution, by which it is provided, that, "an apportionment of the Representatives in the General Assembly shall be made in the year one thousand eight hundred and forty one, and within every subsequent terms of ten years." The duty of making the apportionment in conformity with this provision of the Constitution will devolve upon you at your present session.

#### *Vacant Unappropriated Lands.*

By an act passed by the Congress of the United States, on the 18th day of February, 1841, the State of Tennessee is invested with "full power and authority to sell and dispose of the vacant, unappropriated and refused lands, within the limits of said State, lying South and West of the line, commonly called the Congressional Reservation line," upon certain "conditions and limitations" therein prescribed.—One of the "conditions and limitations" is that in entering, purchasing, and disposing of said lands, or obtaining grants of the same, all and every person or persons, the legal representative of such person or persons, and the rightful assignee of such person or persons, as are entitled to the right of occupancy and pre-emption according to the laws of the State of Tennessee, shall have the preference in the entry or purchase of their occupant and pre-emption rights at the price of twelve and a half cents per acre, not exceeding two hundred acres each."

The duty will devolve on the General Assembly, at their present session to make suitable provision by law, for carrying the act of Congress referred to into effect. In doing this, it is recommended that full and ample provision be made, to secure all those entitled to the right of occupancy and pre-emption, the preference in the entry or purchase of the same. Under the existing laws of the State much the larger number of those claiming the right of occupancy and pre-emption, have caused their claims to be surveyed and laid down on the general plan or map, in the entry-taker's office of the county in which the same is situated. Others who have made improvements on vacant and unappropriated lands, and who are equitably entitled to the right of occupancy and pre-emption, have failed to cause the same to be thus sur-

vayed and designated on the general plan or map in the office of the entry-taker. In any provision which may be made, this latter class of occupant claimants should be equally protected and secured in their rights, with the former.

It is recommended that entry-taker's offices be opened in the several counties in which the lands described lie, and that the several entry-takers be authorized to receive entries with such moderate fees of office, as will enable the occupants and others making the same, to secure their titles at the least possible expense.

It is suggested that the offices be opened at an early day for the accommodation of those who may not wish delay, but that the longest period of time permitted by the provisions of the act of Congress be allowed to such of the occupant claimants, their legal representatives or rightful assignees, as may desire to avail themselves of the same, to make their entries and perfect their titles.

It is submitted to the General Assembly, whether the entry-taker's offices already established by law, be employed, or new offices established. In either event, provision should be made, by requiring bonds with ample security, and by prescribing such penalties and liabilities as may be deemed adequate to insure the faithful performance of their duties by the several entry-takers, and the punctual payment of the moneys which they may be authorized to receive.

#### *Duty of the Attorneys General.*

It is made the duty of the several Attorneys General of the State to prosecute all demands, in which the State shall have an interest against sheriffs, clerks and others, who may fail to account for, and pay over public moneys collected by them according to law. The Attorneys General often receive the amounts recovered in suits brought by them, but are not required to enter into bond with security for the punctual and faithful payment of the same when received. The preservation of their professional reputation has generally been a sufficient guaranty for a faithful discharge of duty in this respect on their part.

#### *Defalcation of an Attorney General.*

Since your last adjournment, a case of loss to the State of a considerable sum collected by one of the Attorneys General who failed to account for and pay over the same, has occurred. And as similar cases may occur hereafter, it is submitted to your consideration whether the laws should not be so amended, as to place the several Attorneys General on the same footing with all other officers who receive or disburse the public money, by requiring them to give bond with adequate security for the punctual and faithful payment to the authorities authorized to receive the same, of all public moneys collected by them in the discharge of their official duties.

#### *Frauds and Illegal Voting.*

Complaints are frequently made of frauds and illegal voting at elections, and it is believed that the laws upon this subject require revision, the more effectually to protect and preserve the purity of the elective franchise. The only penalty now imposed for fraudulent or illegal voting, is a fine of ten dollars, one-half for the use of the county, and the other half for the use of the person who will sue for the same. It is not made the duty of the civil officers to enforce this penalty, and but few persons are found willing, voluntarily, to do so, and if they do, the fine is of so small an amount as to constitute no adequate restraint, especially in seasons of high political excitement. Since the counties have been laid off into civil districts, and the places of voting multiplied under the revised Constitution, the facilities for double voting have been increased, and there is reason to believe, that many persons have voted at more places than one in the same election and escaped with impunity. If the laws remain as they are, such practices may continue and will probably increase, thereby greatly impairing the value of the right of suffrage. I submit to your consideration, whether illegal or double voting at elections should not be made an indictable offence, punishable as other misdemeanors, making it the duty of all inspectors of elections, civil officers and

the courts of justice, to prosecute and bring to punishment all persons who may violate the laws in this respect. As an additional safeguard to the purity of the ballot-box, I submit to your consideration whether all persons who offer to vote in any civil district other than that in which they reside, should not be required to take an oath before the inspectors or officers holding such election, that they have not voted, and will not, in the pending election, offer to vote at any other civil district, or place of voting; and that for the violation of such oath, they shall be subjected to all the pains and penalties of perjury as in other cases.

These or other suitable provisions which may suggest themselves, together with an amendment of the laws the more effectually to suppress the evil practice of betting on elections, would go far to secure to each citizen his equal voice in choosing his public agents. A want of uniformity of construction of the Constitution and laws, continues to prevail in different parts of the State in regard to the right of the citizen to vote at our general elections in counties in which he does not reside, and has not resided for six months immediately preceding the day of election. In some counties any citizen of the State is permitted to vote for Governor or for Congressmen, if the voter resides within the Congressional district, or for the Senate or House of Representatives if he reside within the Senatorial or Representative district, whilst in other counties the right of voting is restricted to the citizens of the county. At different places of voting in the same county, different rules of construction prevail according to the different opinions which may be entertained by the inspectors of the election. To secure the same rights to every citizen, it is again submitted to your consideration whether a declaratory act should not be passed establishing a uniform rule of construction in this respect to be observed in every part of the State.

#### *Resolutions and Executive Communications.*

I transmit to you herewith copies of legislative resolutions and Executive communications which I have received from the States of Maine, Rhode Island, Massachusetts, Vermont, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, South Carolina, Georgia, Kentucky, Alabama, Indiana and Mississippi. They have been communicated to me to be laid before the General Assembly, probably with a view to obtain an expression of the views of this State upon the various public questions to which they relate. They will be found to embrace the subject of the public lands of the United States, and the proper disposition thereof; a tariff of protection and the revival of the revenue laws; the recovery of fugitive slaves who escape into other States, and the delivery upon demand made by the Executive of one State upon the Executive of another, of felons who have kidnapped them or seduced them to leave their owners, and have fled to other States, or taken refuge therein for the purpose of trial and punishment in the State where the offence was committed; proposed amendments of the Constitution of the United States, limiting the eligibility of the President to a single term; and that the President and Vice President be chosen on the same day throughout the United States; the creation of a National Bank; the North-Eastern Boundary Question now pending between the Government of Great Britain and the United States, and other public questions to which your attention is invited. I have received also from bodies of citizens of the District of Columbia communications upon public subjects, and in compliance with their requests lay them before you.

#### *Foreign interference with the Abolition of Slavery.*

During the past year I received through the mail two communications addressed to me in my official character, purporting to come "from a convention of the friends of the negro, assembled from various parts of the World, convened for the purpose of promoting the immediate, entire and universal abolition of slavery and the slave trade, by those means which are of a moral, religious and pacific character, held in London on the 12th, and by adjournment to the 23d of June, 1840." Viewing these communications as an impertinent and mischievous attempt on the part of foreigners

to interfere with one of the domestic institutions of this State, and as having received the countenance and sanction of a member of the Congress of the United States, under whose official frank one of the packages containing them came to me, I declined entering into a correspondence with the foreign convention, but addressed to the member of Congress alluded to, the letter, a copy of which is herewith transmitted to you, accompanied by the communications themselves.

#### *Temporary Appointments.*

Since the adjournment of the last session of the General Assembly, the following temporary appointments have been made, viz: *Alfred O. P. Nicholson*, of Maury county, to be a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of *Felix Grundy*;—*William C. Dunlap*, of Hardeman county, to be Judge of the Circuit Court for the eleventh Judicial Circuit, to fill the vacancy occasioned by the resignation of *Valentine D. Barry* and *Joseph H. Talbot*, of Madison county, to be Attorney General for the tenth Solicitorial District, to fill the vacancy occasioned by the removal of *William B. Miller*, the former incumbent without the limits of the district, as certified to me by the presiding Judge of that circuit. The duty will devolve upon the General Assembly to make permanent appointments, to fill these several offices during your present session.

#### *Death of Samuel Powell, Judge.*

Information was received in the month of August last, of the death of *Samuel Powell*, Judge of the Circuit Court, for the first Judicial Circuit. Upon examination it was ascertained that but a single term of the Court for the county of Hawkins, would intervene in that circuit before the meeting of the General Assembly, and no temporary appointment has been made to fill the vacancy. To avoid any inconvenience which might result from a failure to hold the court in Hawkins, I addressed letters successively to the Judges of the 12th and 3d circuits, requesting them to hold the court; from both of whom I received answers declining to do so, but from the latter at so late a period, as to make it impracticable to appoint a temporary Judge in time to enable him to reach and hold that court. As the terms of the remaining courts in the first circuit will come on during the present and the succeeding month the necessity of electing a Judge to fill the vacancy at as early a period of your session as practicable will be apparent.

Many subjects which may claim your attention may have been omitted in this communication. It is however a pleasing reflection, that all the varied interests of the State are committed to the wisdom and calm deliberation of the immediate Representatives "fresh from the people," who can supply the omission; and it is equally gratifying to know that they possess the power to correct any unintentional errors of opinion into which I may have fallen.

In discharging the functions of the Executive office, I have constantly felt the weight of responsibility which devolved upon me, and in performing this act of duty my aim has been to lay before you such information, and to suggest such modifications of the laws, as in my judgment may be useful to you in your deliberations, and tend to promote the welfare of our common constituents. That honest differences of opinion upon many subjects may exist is to be expected, but that "the greatest good to the greatest number" is the object which all desire to attain, I cannot doubt.

That the result of the deliberations of your present session may be eminently useful, and such as to deserve and receive the approbation of the people, is my sincere desire.

JAMES K. POLK.

EXECUTIVE DEPARTMENT,  
Nashville, October 7, 1841.

#### *An Old Meeting House.*

The Hingham Patriot, (Mass.) says, there is a meeting house in that town which was raised in July, 1681, and is therefore, 160 years old. Its frame is of white oak, and still perfectly sound.



## Whitestown, Oneida County, N. Y.

BY THEODORE S. GOLD.

Whitestown was settled by Hugh White, in 1784. He was a resolute and persevering man, well fitted for the part of a leader in an enterprise of this kind. These qualities of character were cultivated by the early incidents of his life. He was surrounded by Indians, with fresh recollections of the Revolution, exasperated by their defeats, and soured by the neglect of their British allies in joining the treaty of peace. For many years Whitestown was the frontier town—beyond it was “a howling wilderness,” with a few scattered houses between us and the lakes. The land was fertile; the location on the banks of the Mohawk and the Sadaquedda creek, was an admirable one; the first settlers were men of industrious habits, intelligent and resolute. For a long period, it remained the best cultivated spot on the verge of the forest—the old inhabitants throughout the State will readily recall the name and bear witness to the renown it obtained and held for many years.

For a long time after this, when the country had become quite thickly settled, Whitesboro’ maintained the highest rank; here the courts were held—here the political conventions assembled—here the grand military reviews took place, and here, in fact, the evening parties and other gay re-unions of the day were attended.

It lines on the Mohawk between eight and nine miles, and from the Mohawk to its western line, is about four miles. It is irregular in its shape, the western line being much the longest.

The battle of Oriskany was fought in 1777, within its present limits, the best account of which is found, according to my judgment, in one of Hoffman’s novels. It was one of the several of the revolutionary conflicts. To the ordinary incentives of patriotism and self-protection, was added, in this instance, a personal enmity between many of the combatants. The hatred of a revolutionary whig and tory, would come up, I fancy, to Dr. Johnson’s notion of “a good hater;” death itself could only assuage such a feeling. One of the old soldiers who fought in this battle, now resides in this place; he well recollects it, and during the present season visited the ground to point out the interesting localities to a number of children who accompanied him from this village.—He is one of the few of the surviving patriots whose circumstances and health of mind and body, enables him to enjoy the evening of life, the remembrance of the trials of his prime and manhood.

I have stated, that this town was bounded by the Mohawk; on the banks of this river lies the most fertile portion of our land. Twice a year (spring and fall,) and sometimes more frequently, it overflows its banks, and for many miles presents the appearance of a broad and deep river, and in many places, of an inland lake. It is to these regular floods, that the fertility of the land is owing. The current brings down from above a vast quantity of manure, earth and other materials gathered in its progress; these, as its waters subside, it deposits on the “flats,” from one to two inches in depth, which constantly renews the exhausted soil, and dispenses with the necessity of any other manure. These flats, as they are called, thus possess an inexhaustible fertility, and when once cleared, return a profitable tribute to the farmer. The main crops of this town are corn, oats, grass, and potatoes. Wheat is raised but in small quantities, not over 15 bushels to the acre; this is generally spring wheat. Corn is a very important crop for us; we usually get about 35 bushels to the acre; in very favorable seasons, we have raised 50 bushels to the acre. Of oats our land produces about 30 bushels to the acre; of potatoes, about 250 bushels. Grass varies very much according to the land, whether upland or interval land: on the latter about two or three tons to the acre are produced; on the former, from one to two. This statement has reference to the amount of the several kinds of produce raised in a series of years throughout the town. On particular farms, and in very favorable years, fifty per cent. more than the quantities above mentioned, is raised. The interval, or Mohawk bottom land, is valued by our farmers generally at \$75 per acre, where it is cleared; good

upland is worth \$50; these are cash prices, at which the land will sell. Of all kinds of produce, except wheat, we raise more than enough for our consumption; of wheat we do not raise more than one-sixth or one-eighth of what we need.

This town will compare in its aspect and general feature with any in the State. It abounds with distant and delightful views from the hills, that bound the Valley of the Mohawk; you have in sight the richly cultivated vale of the Sadaquedda for a number of miles; the Mohawk as it winds its way along its pleasant and sheltered valley; towards the east, we see Utica and the highlands beyond; and at the south, we have New-Hartford and Hamilton College, and the rich and populous country between. The village of Whitesboro’ itself, as you view it from different points on the hills, is one of the most beautiful that you can find in the country. The main street is more than a mile in length; the dwellings are generally of wood painted white, with neat yards filled with shrubbery and forest trees; the street itself is lined with elms that salute your eye as you ascend the hill to enter the village from the east.

There are three churches in the village, two of them of good size and well constructed, one of them of brick the other of wood. The brick, or Presbyterian church, is one of the best proportioned buildings that I have ever seen, that puts forth no pretensions to architectural beauty. This congregation pays its pastor a salary of \$900 per annum—a good argument in favor of the “voluntary system,” and no less complimentary to the clergyman than the people.

There are 17 schools in this town, averaging 75 scholars, the teachers of which obtain an average compensation of \$17 50 a month, exclusive of board. In this calculation of teacher’s wages, the academy in the village is not included.

I ought, perhaps, to have stated previously, that there are five villages in this town, Whitesboro’, New York Mills, Oriskany, Dexter Factory Village, and Waterville; the principal streams that water it, are the Mohawk, the Oriskany, and Sadaquedda creek. The village of Whitesboro’ contains about 2,000 inhabitants; New York Mills, 1,100; Oriskany, 1,200. At the late election, this town gave 808 votes.

We have in the village of Whitesboro’, a court-house and jail; the former of brick, has been recently repaired, and is now quite a respectable looking building; it stands on the village green to the left as you enter from the east. The jail is of wood, within a few feet of the court-house; it has recently been enlarged and much improved, although yet, no credit to the second county in the State. There are generally from thirty-five to forty persons confined here; at this time the celebrated “McLeod,” is one of its inmates; is a man of decent education, prepossessing manners, quite intelligent, and apparently good tempered. Owing to some apprehensions of an attempt to take him from the jail and inflict summary vengeance upon him, there is now by the direction of the governor, a regular patrol kept up at night around the jail and in the village.

This town, as you may recollect, does not derive its resources from agriculture alone. It is a large manufacturing town. We have several extensive cotton and woollen establishments, that contribute to the support of a considerable portion of our population. The Oneida Factory, for the manufacture of cotton goods, is built of stone on the Sadaquedda creek, about a mile from its mouth. The main building is 100 feet by 40, and four stories high, with an addition of 70 feet by 30, and two stories high. It works up annually 350,000 pounds of cotton into a million of yards of cloth, employing 170 hands, and paying them from \$1 75 to \$9 a week. The capital of this company is \$100,000 all paid in.

A short distance above stand the New York Mills, one of the most complete and best managed concerns in the State. There are two buildings of stone, each four stories high, the main one 180 by 40, with a wing 95 by 30 feet, the cost of buildings and machinery was over \$275,000. It works up 420,000 pounds of cotton into yarn number 36, and sattinette and Kentucky jean warps. From the yarn is manufactured a cloth of fine fabric 36 inches in width, usually sold bleached, at about 15 cents per yard by the case. The value

of the goods manufactured here annually, is \$160,000; 350 persons are employed, whose wages range from \$2 to \$9 weekly. If I desired to exhibit the contrast between an English and American factory village, I would point to New York Mills. There is but one tavern in the village, and on this sign stands in bold letters "New York Mills Total Abstinence Tavern." There is not a drinking shop near the factory. The hands are healthy, well dressed, and intelligent, and their wages are above the average wages of the country in other employments. The manager, who is also one of the proprietors, not only makes the business very profitable, but by his judicious measures and liberal charities, consults the real welfare and happiness of his people.

The Oriskany factory for the manufacture of woollen goods, stands on the Oriskany creek, a short distance from its mouth, and immediately on the Erie canal. There has been expended here since the first directions \$200,000. The principal building is 120 by 40 feet, the other 60 by 35, both of brick, three stories high besides basement and attic. There are several other buildings occupied in the business. 180,000 pounds of wool are used annually, and are worked up into broadcloths and cassimeres. One hundred and fifteen hands are employed of both sexes, whose wages range from \$1 50 to \$9 per week.

The Dexter factory, about a mile farther up on the same stream, is also for the manufacture of woollen goods and carpets. There are two main buildings, both of brick, 80 feet by 36; 105 hands employed who earn from \$2 to \$6 per week.

In the village of Whitesboro' there is a pail factory, which does an extensive business, and in other parts of the town there are several other establishments of a similar character.

The last valuation of real and personal estate for the town of Whitestown, is \$782,980. The number of acres of land assessed, is 15,630; the valuation per acre is upwards of \$40. The Syracuse and Utica railroad and Erie Canal, traverse this town running directly through the village of Whitesboro'; there are likewise excellent roads in all directions. The main road through Whitesboro' is a great thoroughfare; 900 conveyances of different kinds, were counted on an ordinary day last winter.

*Whitestown, September, 1841. Northern Light.*

#### Important Decision.

An important decision was made last week in the Superior Court of Jefferson County, Virginia, which is thus noticed in the Charleston Press: on Tuesday the long pending case of John Strider vs. Heflebower & Co. was decided, in which the plaintiff claimed several thousand dollars damages for the destruction by fire, of his Flour mill on the Shenandoah River, in 1837, whilst in the occupancy of the defendants as tenants. The jury gave a verdict for the plaintiff.

An important principle has been established by this decision, namely, that the occupiers of mills, *as tenants*, must not only use due vigilance and care in the protection of the mill from fire, by friction of the machinery, but if they cannot *prove conclusively* the exercise of such vigilance and care, they will be held responsible for the property destroyed.

#### Cotton Bills.

The Southern Patriot says that an important change is about to be made in the method of drawing bills upon property shipped to foreign consignees, and expresses an opinion that the banks of Charleston will adopt the method in their transaction with bill drawers. The method proposed is, that in every instance, banks discounting bills should require an assignment of the bill of lading for each shipment of produce against which bills are drawn, as security that the proceeds will be applied to the payment of the bill.

It is stated in the Old Colony Memorial that 575 bushels of whortleberries have been purchased in Mansfield the past summer by the dealers in that fruit. They paid for them \$745; and allowing their profits to be 75 cents per bushel, they sold them in Boston for \$1176. The berries were picked by women and children, and all was done in the short space of one month.

#### Communication from Noah Webster.

The principal objection ever made to my philological books, is the discrepancies in the orthography of words.—The objection is well founded, and the reasons of it may be easily understood.

When I began to write books for schools, I had such confidence in British authorities, that I adopted the orthography of such authors as I had. These were very few, for the British troops had possession of New York; we had no direct intercourse with England, and scarce half a dozen books which I wanted could be obtained. I had then no idea of investigating the principles of orthography, and of reducing classes of words to uniformity. The result was that I introduced into my first book a spelling of many words which I afterwards found to be wrong.

When I prepared my large dictionary for publication, I had formed the plan of reforming the common spelling of certain words and classes of words, in which errors had obscured the original and perverted the sense; but some other classes were overlooked. No discerning man can be surprised at this fact, when he considers that I was deeply engaged in the etymology and definition of seventy thousand words, the affinities of some of which were to be traced through six, eight, ten or fifteen languages, and the signification or uses of all were to be collected and explained. This vast labor demanded all the resources of my mind; a labor of which the book-makers who are now using my work for their own benefit, and have nothing to do but to hunt for differences of spelling in my books, have not the least conception.

During the whole period of my studies, I have been learning something every year; and as new errors have been discovered, I have set myself to correct them. This process is necessary to the ultimate result. In the last edition of the American Dictionary, I have completed my corrections; and directions have been given for correcting my other books, to render them conformable to the large work. As more than twenty sets of stereotype plates of the Elementary Spelling Book are to be corrected, it must be a work of time.

The abridgment of the octavo was not executed by myself, nor am I at present the owner of the work; but the proprietors are engaged in rendering it in all material points, conformable to the American Dictionary.

*Northern Light.*

N. WEBSTER.

#### Statue of Washington.

Captain Easby, has succeeded in removing the colossal statue of Washington to the Rotunda of the Capitol, without the slightest injury either to the statue or to any one engaged in the difficult work of its removal.

WASHINGTON, Oct. 25, 1841.

Gentlemen—I have the pleasure to inform you that the statue of Washington, by Greenough, has been safely removed and placed in the Rotunda of the Capitol, and that it has not received the slightest damage. It now awaits the erection of the pedestal on which it is to rest when finished.

The statue weighs about fourteen tons, and was raised from the ground to the level of the floor on the Rotunda—a height of twenty-six feet—in twenty-five minutes, and placed on the way which had been prepared for it. I take this opportunity publicly to tender my thanks to Mr. Wm. Waters, the experienced boatswain attached to the Navy Yard at this place, for the aid he voluntarily rendered me in the elevation of the statue to its required height. The preparation of the shears and the necessary tackle were under his immediate direction. The manner in which he performed the task shows that he is an excellent rigger, and fully deserving of the esteem in which he is held by the officers under whom he has served. He has been in the naval service of the United States nineteen years—seventeen years of that time in active service. It is to be regretted that Congress has made no adequate provision for rewarding meritorious warrant officers for long, arduous, and faithful services.

Very respectfully, yours, &c.

WM. EASBY.

[*National Intelligencer.*

## Statement of Foreign Exports in 1840.

WHITHER EXPORTED.	VALUE OF MERCHANDISE EXPORTED TO EACH COUNTRY.						
	Free of duty.	Paying duties ad val.	Paying specific duties.	Total.	In American vessels.	In foreign vessels.	To the dominions of each power.
Russia.....	\$111,554	\$32,715	\$790,386	\$934,625	\$934,519	\$106	\$934,625
Prussia.....	42,375	....	740	43,115	....	43,115	43,115
Sweden and Norway.....	31,581	4,000	76,553	115,134	7,031	108,103	} 118,744
Swedish West Indies.....	613	410	2,587	3,610	3,610	....	
Denmark.....	14,932	....	2,936	17,868	17,868	....	} 198,386
Danish West Indies.....	88,831	61,442	30,245	180,518	180,228	290	
Holland.....	423,530	37,001	50,515	511,046	396,644	114,402	} 756,514
Dutch East Indies.....	184,216	1,004	16,432	202,552	194,175	8,377	
Dutch West Indies.....	32,742	5,843	4,331	42,916	40,602	2,314	} 1,316,922
Hanse Towns, &c.....	646,697	80,840	102,059	830,496	162,495	668,001	
Belgium.....	322,339	8,812	155,275	486,426	353,296	133,130	} 2,361,878
England.....	3,948,655	908,732	239,465	5,096,882	2,735,004	2,361,878	
Scotland.....	530	19,270	8,504	28,304	11,234	17,070	} 3,450
Gibraltar.....	173,569	51,121	32,420	257,110	253,660	3,450	
Malta.....	29,381	....	16,005	45,386	45,386	....	} 6,106,789
British East Indies.....	347,209	75	4,507	351,791	351,791	....	
Mauritius.....	....	153	....	153	....	153	} 197
Cape of Good Hope.....	....	....	197	197	....	197	
British West Indies.....	19,065	10,892	28,043	58,000	21,017	36,983	} 136,543
British N. American Colonies.	98,747	11,100	94,188	204,035	67,492	136,543	
Honduras.....	19,242	36,308	2,821	58,371	43,159	15,212	} 538
British Guiana.....	18	....	520	538	....	538	
Australia.....	5,516	....	506	6,022	3,939	2,083	} 2,952,983
French Atlantic ports.....	2,537,766	98,840	61,419	2,698,025	2,156,031	541,994	
French Mediterranean ports..	178,905	2,470	42,827	224,202	83,432	140,770	} 1,059,632
French West Indies.....	12,401	6,550	11,705	30,656	25,098	5,558	
French Guiana.....	100	....	....	100	100	....	} 1,190
Spanish Atlantic ports.....	3,296	....	2,543	5,839	4,649	1,190	
Spanish Mediterranean ports.	1,370	..	1,665	3,035	3,035	....	} 777
Cuba.....	524,653	350,966	103,425	979,044	972,555	6,489	
Other Spanish West Indies...	27,313	185	1,710	29,208	28,431	777	} 37,014
Teneriffe and other Canaries.	9,672	1,175	732	11,579	11,579	....	
Manilla and Philippine islands	30,000	....	927	30,927	30,927	....	} 227
Portugal.....	5,724	....	....	5,721	5,724	....	
Madeira.....	22,392	....	466	22,858	22,858	....	} 283,347
Cape de Verd islands.....	463	2,346	....	2,809	2,582	227	
Fayal and other Azores.....	2,720	216	2,687	5,623	5,623	....	} 33,923
Italy.....	163,525	4,954	114,868	283,347	267,760	15,587	
Sicily.....	20,921	....	13,002	33,923	....	33,923	} 196,264
Trieste and other Austrian Adriatic ports.....	135,814	7,865	52,585	196,264	174,271	21,993	
Turkey, Levant and Egypt...	151,446	1,012	4,415	156,873	156,873	....	} 81,849
Hayti.....	53,371	23,921	4,557	81,849	67,327	14,522	
Texas.....	65,854	141,182	74,163	281,199	277,128	4,071	} 1,545,403
Mexico.....	573,417	862,117	109,869	1,545,403	1,463,833	81,570	
Central Republic of America.	35,312	38,380	13,593	87,285	87,285	....	} 77,329
New Grenada.....	41,302	29,242	6,785	77,329	15,897	61,432	
Venezuela.....	134,902	76,929	17,774	229,605	222,387	7,218	} 360,711
Brazil.....	203,105	106,298	51,308	360,711	360,711	....	
Argentine Republic.....	61,234	15,129	12,769	89,132	89,132	....	} 67,628
Cisplatine Republic.....	41,987	14,848	7,793	67,628	67,628	....	
Chili.....	120,192	144,003	92,380	356,575	356,575	....	} 540,780
China.....	500,030	6,109	34,641	540,780	540,780	....	
Asia, generally.....	128,960	613	8,519	138,092	133,092	....	} 43,048
Africa, generally.....	7,432	26,921	8,695	43,048	33,374	9,674	
South Seas and Pacific Ocean	23,547	26,294	15,359	65,200	65,200	....	} 2,514
West Indies, generally.....	2,289	....	225	2,514	2,501	13	
South America, generally....	15,776	12,515	....	28,291	28,291	....	} 540
North-west coast of America.	....	....	540	540	540	....	
Total.....	12,384,503	3,271,728	2,534,081	18,190,312	13,591,359	4,598,953	18,190,312
Entitled to drawback.....	....	2,875,255	2,299,487	5,174,742	3,906,261	1,268,481	....
Not entitled to drawback.....	12,384,503	396,473	234,594	13,015,570	9,685,098	3,330,472	....

STATEMENT OF THE COMMERCE

Of each State and Territory, commencing on the 1st day of October, 1839, and ending on the 30th day of September, 1840.

STATES AND TERRITORIES.	VALUE OF IMPORTS.			VALUE OF EXPORTS.				Total of do- mestic and fo- reign produce.		
	In American vessels.	In foreign vessels.	Total.	DOMESTIC PRODUCE.			FOREIGN PRODUCE.			
				In American vessels.	In foreign vessels.	Total.	In American vessels.		In foreign vessels.	Total.
Maine.....	\$504,183	\$124,579	\$628,762	\$959,903	\$50,007	\$1,009,910	\$12	\$8,347	\$8,359	\$1,018,269
New Hampshire.....	67,411	47,236	114,647	19,676	1,085	20,761	218	....	218	20,979
Vermont.....	404,617	....	404,617	305,150	....	305,150	....	....	....	305,150
Massachusetts.....	15,813,560	700,298	16,513,858	5,504,411	763,717	6,268,158	3,727,287	190,816	3,918,103	10,186,261
Rhode Island.....	274,534	....	274,534	203,006	....	203,006	3,983	....	3,983	206,989
Connecticut.....	270,411	6,661	277,072	518,066	144	518,210	....	....	....	518,210
New York.....	52,501,265	7,939,485	60,440,750	17,329,071	5,347,538	22,676,609	7,628,088	3,959,383	11,587,471	34,264,080
New Jersey.....	1,680	17,529	19,209	14,883	....	14,883	1,193	....	1,193	16,076
Pennsylvania.....	7,835,007	629,875	8,464,882	5,282,456	454,000	5,736,456	999,129	84,560	1,083,689	6,820,145
Delaware.....	....	802	802	37,001	....	37,001	....	....	....	37,001
Maryland.....	4,357,884	552,862	4,910,746	4,098,139	1,396,881	5,495,020	213,596	60,152	273,748	5,768,768
District of Columbia.....	76,637	43,215	119,852	643,950	107,479	751,429	926	1,568	2,494	753,923
Virginia.....	481,634	63,451	545,085	4,518,632	251,305	4,769,937	8,105	178	8,283	4,778,220
North Carolina.....	236,169	16,363	252,532	343,981	43,503	387,484	....	....	....	387,484
South Carolina.....	1,635,432	423,438	2,058,870	7,750,546	2,230,470	9,981,016	41,149	14,604	55,753	10,636,769
Georgia.....	357,203	134,225	491,428	3,979,912	2,883,047	6,862,959	....	....	....	6,862,959
Alabama.....	402,211	172,440	574,651	10,483,694	2,371,000	12,854,694	....	....	....	12,854,694
Mississippi.....	....	....	....	....	....	....	....	....	....	....
Louisiana.....	7,274,309	3,398,881	10,673,190	27,182,807	5,815,252	32,998,059	959,807	279,070	1,238,877	34,236,936
Ohio.....	2,426	2,489	4,915	864,164	127,790	991,954	....	....	....	991,954
Kentucky.....	2,241	....	2,241	....	....	....	....	....	....	....
Tennessee.....	28,938	....	28,938	....	....	....	....	....	....	....
Michigan.....	137,225	1,385	138,610	162,229	....	162,229	....	....	....	162,229
Florida.....	126,775	63,953	190,728	1,829,191	21,518	1,850,709	7,866	275	8,141	1,858,850
Missouri.....	10,600	....	10,600	....	....	....	....	....	....	....
Total.....	92,802,352	14,339,167	107,141,519	92,030,898	21,864,736	113,895,634	13,591,359	4,598,953	18,190,312	132,085,946

TREASURY DEPARTMENT, Register's Office, May 29, 1841.

T. L. SMITH, Register.



Tonnage Entered the United States.

STATES AND TERRITORIES.	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Maine .....	318	53,519	2,181	132	1,132	74,628	4,291	38	1,450	128,147	6,472	160
New Hampshire.....	34	9,752	336	13	43	3,005	144	....	77	12,757	500	13
Vermont.....	211	52,084	1,357	....	....	....	....	....	211	52,084	1,367	....
Massachusetts.....	1,201	264,506	12,029	498	703	56,944	3,723	316	1,904	321,450	15,752	814
Rhode Island.....	108	18,862	1,064	....	2	535	25	....	110	19,397	1,089	....
Connecticut.....	109	22,832	1,290	29	6	584	32	1	115	23,416	1,322	30
New York.....	2,843	659,482	30,237	1,994	1,708	347,508	22,214	138	4,551	1,006,990	52,451	2,132
New Jersey.....	3	516	19	1	....	....	....	....	3	516	19	1
Pennsylvania.....	353	75,479	3,248	246	91	12,223	667	92	444	87,702	3,915	338
Delaware.....	....	....	....	....	....	....	....	....	....	....	....	....
Maryland.....	309	58,237	2,592	....	101	23,903	1,135	....	410	82,140	3,727	....
District of Columbia...	44	7,769	356	6	19	2,513	139	4	63	10,282	495	10
Virginia.....	136	28,852	1,223	4	34	5,927	339	....	170	34,779	1,562	4
North Carolina.....	171	23,390	1,181	5	29	2,803	234	....	200	26,193	1,415	5
South Carolina.....	177	36,695	1,596	73	80	23,950	951	157	257	60,645	2,547	230
Georgia.....	87	23,204	931	2	88	41,721	1,506	....	175	64,925	2,437	2
Alabama.....	146	41,208	1,643	....	61	25,564	1,044	....	207	96,772	2,687	....
Mississippi.....	....	....	....	....	....	....	....	....	....	....	....	....
Louisiana.....	672	182,292	7,342	....	252	73,185	3,579	....	924	255,477	10,921	....
Ohio.....	90	8,168	382	....	43	3,192	148	....	133	11,360	530	....
Kentucky.....	....	....	....	....	....	....	....	....	....	....	....	....
Tennessee.....	....	....	....	....	....	....	....	....	....	....	....	....
Michigan.....	7	593	30	....	152	12,310	615	....	159	12,903	645	....
Florida.....	192	9,506	954	....	27	1,868	194	....	219	11,374	1,148	....
Missouri.....	....	....	....	....	....	....	....	....	....	....	....	....
Total.....	7,211	1,576,546	70,011	2,993	4,571	712,363	40,980	746	11,782	2,289,309	110,991	3,739

Tonnage Cleared from the United States.

STATES AND TERRITORIES.	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Maine .....	479	82,534	3,374	222	1,134	75,055	4,306	35	1,613	157,589	7,680	257
New Hampshire.....	11	1,925	86	1	42	2,939	142	....	53	4,864	228	1
Vermont.....	211	52,084	1,357	....	....	....	....	....	211	52,084	1,357	....
Massachusetts.....	940	197,995	9,744	300	764	58,765	3,908	5	1,704	246,760	13,652	305
Rhode Island.....	101	17,436	1,054	....	....	....	....	....	101	17,436	1,054	....
Connecticut.....	126	24,122	1,530	86	5	479	24	1	131	24,601	1,554	87
New York.....	2,411	518,202	26,383	1,995	1,678	343,114	22,200	138	4,089	861,316	48,583	2,133
New Jersey.....	4	725	34	....	....	....	....	....	4	725	34	....
Pennsylvania.....	376	72,288	3,175	234	83	11,310	603	79	459	83,628	3,778	313
Delaware.....	....	....	....	....	....	....	....	....	....	....	....	....
Maryland.....	352	67,718	3,202	....	109	25,546	1,217	....	461	93,264	4,419	....
District of Columbia....	82	12,815	603	16	20	2,689	145	8	102	15,504	748	24
Virginia.....	223	48,640	2,089	11	37	6,218	353	....	260	54,858	2,442	11
North Carolina.....	284	38,130	1,868	2	31	3,029	247	....	315	41,159	2,115	2
South Carolina.....	322	82,090	3,352	132	84	25,465	1,000	146	406	107,555	4,352	278
Georgia.....	141	44,076	1,730	4	90	43,965	1,564	....	231	88,041	3,294	4
Alabama.....	251	94,551	3,531	....	57	23,552	1,001	....	308	118,103	4,532	....
Mississippi.....	....	....	....	....	....	....	....	....	....	....	....	....
Louisiana.....	890	277,021	10,658	....	265	73,350	3,572	....	1,155	350,371	14,230	....
Ohio.....	99	8,708	410	....	44	3,265	151	....	143	11,973	561	....
Kentucky.....	....	....	....	....	....	....	....	....	....	....	....	....
Tennessee.....	....	....	....	....	....	....	....	....	....	....	....	....
Michigan.....	68	4,786	235	....	119	6,370	317	....	187	11,156	552	....
Florida.....	212	11,163	1,030	....	21	1,345	136	....	233	12,508	1,166	....
Missouri.....	....	....	....	....	....	....	....	....	....	....	....	....
Total.....	7,583	1,647,009	75,445	3,003	4,583	706,486	40,886	412	12,166	2,353,495	116,331	3,415

## MESSAGE

OF GOVERNOR PENNINGTON OF NEW JERSEY.

*To the Legislative Council and  
General Assembly :*

*Veto Power—Branches of Government—Constitution—  
Chancellor.*

By the Constitution of this State the power of legislation resides exclusively in the Legislature. To representatives elected annually, and coming directly from the people, with a full knowledge of their wants, it was wisely thought might most safely be deposited the great interests of society. While by the Constitution of the United States, and of several of the States, a restraining power over legislation is conferred upon the Executive, ours happily gives him no negative upon the acts of the Legislature. The exercise of an authority by which the will of the people and their representatives may be defeated, must be at all times unwelcome, and considering the character of our institutions, it is matter of some surprise that such a prerogative should ever have been engrafted upon them. That a Constitution like that of this State, framed amid the convulsions of a revolution, and intended only to serve in an emergency, should have proved so salutary, and secured for so long a period the essential rights of the citizen is a circumstance worthy of our special regard. It contains but twenty-three short sections, one of which bears evidence of its having been designed only as a temporary measure, by providing that in case a reconciliation take place between Great Britain and the Colonies, the instrument shall be null and void. While it is perhaps less adapted to our present circumstances and the advance of society, yet I am inclined to doubt whether a convention at this time would be likely to frame one more satisfactory or beneficial to the people. The simplicity of the instrument is commendable. The Executive, Legislative and Judicial departments, are sufficiently defined, and are generally, it may be said, satisfactorily arranged. Its worst feature is that which unites the offices of Governor and Chancellor in the same person. The Chancellor by reason of the nature of his functions, and the increase of the business of his court, should be a distinct and permanent officer, wholly withdrawn from political influences. This change, which I have no doubt would be generally approved, might well be made by a public act, after its provisions should be ratified by a vote of the people. I feel no personal desire that even this change should be made, and merely suggested it on a former occasion from a sense of its obvious propriety. Although the subject met with favor from the Legislature last year, it was then deemed most expedient not to act upon it, from a suggestion that there was a growing disposition, in some parts of the State, for a Convention to frame a new Constitution. Far be it from me to interpose any objection to such a course, if the people desire it; but yet for myself I believe it safer to submit to the inconveniences of our present charter, rather than to incur the hazards of a radical change. In some of the States where the experiment has been tried, it is no common thing to hear the earnest wish that the old order of things were restored. It is confidently believed, that no community suffers less inconvenience from their State institutions than the people of New Jersey. They enjoy the protection of wholesome laws, made by representatives of their own choice, and administered in their respective counties by officers appointed by their authority; and that, too, at a small expense. The taxes are moderate, and the whole amount paid annually, in the form of salaries to the officers of the State Government, as will be seen by the Treasurer's statement last year, is only \$13,720. A change of Constitution might better our condition, but it would be an experiment, and the result at least doubtful.

*Questions between the State and Camden and Amboy Railroad and Transportation Company—State and the New Jersey Railroad and Transportation Company.*

There are questions of some importance depending between the State and the Camden and Amboy Railroad and

Transportation Company, and also between the State and the New Jersey Railroad and Transportation Company, which will require the attention of the Legislature. They arise upon the extent of the claims of the State for transit duties, and per centage on the transportation of passengers, reserved in their respective charters. I do not call it a controversy, because it results from a difference of opinion between the officers of these companies and the officers of the State, as to the true construction of those acts, and from no disposition, as I am assured to avoid on the part of the companies a faithful discharge of their liabilities to the State. It is proper that the subject should be adjusted, and the right ascertained. The State can have no disposition to encroach upon the companies, but her just claims against them must be insisted on, and it will be your duty, representing her interests at this time, to see them maintained and recovered. The questions affect the revenue of the State, and should therefore not be passed by.

By the act of March, 1832, provision was made for securing to the Delaware and Raritan Canal and the Camden and Amboy Railroad and Transportation Companies, (which companies had by an act of the preceding year been united into one,) the exclusive right, during the continuance of their charter, of transporting passengers and merchandise by railroad between the cities of New York and Philadelphia. The act declares that no other railroad should be built between those cities, to compete with the companies named, without their consent, reserving only to the State the right to grant a charter for a road between New Brunswick and the Hudson, which reservation was doubtless made from the fact that an application for such a charter was then pending, and which became a law in a few days thereafter. By this act great power was conferred, no less than the entire and exclusive right of way, by railroad, across that part of the State over which not only the travelling between the two great cities of New York and Philadelphia, but from all parts of our extended and rapidly growing country, must pass. The company, as a compensation for this important grant, agreed to transfer to the State one thousand shares of the capital stock of the companies, and further stipulated that the dividends on that stock, and the transit duties on the road, should amount to \$30,000 annually. The dividends and transit duty do not, of late years, amount to that sum, but there is a deficit of several thousand dollars, and yet under the guarantee the companies are bound to pay the full amount of \$0,000. This stock was transferred and is still the property of the State, and the \$30,000 are annually paid into the State Treasury.

Had no subsequent acts been passed, the present difficulty would not have occurred, but the Legislature, by the act of March, 1837, authorized these companies to erect a railroad from Trenton to intersect the New Jersey Railroad and Transportation Company, and reserve to the State the same transit duties as were reserved on the road from Camden to Amboy. This transit duty the companies claim the right to carry to their account, to make up the \$30,000 for which they have given a guarantee to the State. The effect of this is to deprive the State of all transit duty under the act of 1837, until it shall amount to more than the deficiency under the first act required to make up the \$30,000. The loss to the State by this construction will be several thousand dollars annually.

I think this, from any view I can take of it, a perfectly plain question, and that the transit duty under the act of 1837, must be paid, independent of any provisions in the act of 1832. They have no connexion with each other, and must stand on independent grounds. This would be the construction if there was nothing in the last act upon the subject, but the fifth section of that act decides the question by declaring, that nothing in that act shall impair the right of the State to the shares it then held in the companies, or the interest or dividends accruing thereon, and to the transit duties for the transportation of goods and passengers, but that the State shall be and remain entitled to their said rights, privileges, and emoluments, as fully as if this act had not been passed. This is the first question depending between the State and these companies.

The remaining question with the Camden and Amboy Company is of much less consequence, yet it is right and proper that it should be adjusted and put to rest. The companies insist that by the 23d section of the original "act to incorporate the Camden and Amboy Railroad and Transportation Company," passed 4th of February, 1833, the 3d section of the act of February 4th, 1831, and the 3d section of the act of 15th of March, 1837, they are bound to pay a transit duty only upon such goods and passengers as are brought from, and destined to, places beyond the bounds of this State. I do not perceive by a recurrence to those acts, that there is anything to limit the transit duty to the decision of the question, where the goods or passengers come from or are going to, provided they pass over the road from South Amboy to Bordentown or Camden, or from New Brunswick to Trenton.

The questions with the New Jersey Railroad and Transportation Company, are of a somewhat different and more doubtful character. The first refers the time when, by the charter, they are bound to pay a tax of one-quarter of one per cent. upon their capital stock. The language of the 18th section is "that from and after the completion of the said railroad, and *after the expiration of five years*, the said corporation shall pay into the Treasury of this State, yearly and every year, a tax of one-quarter of one per cent. upon their capital stock paid in," and after ten years the tax shall be increased to one-half of one per cent. Is this tax of one-quarter of one per cent. payable at the completion of the road, or in five years thereafter? It seems to me that the Legislature intended to name five years for completing the road, and that the company should pay the tax at the end of that time. That no tax should be demanded while the road was in progress of building was reasonable, and it was also proper that time for its completion should be allowed, but it is not so obvious that the State should wait five years after such completion; nor do I think such is the intention of the law. The remaining question arises under the same section which provides "that in addition to the tax, if at any time thereafter any railroad should intersect or be attached to this railroad so as to make a continued line of railroads carrying passengers across the State of New Jersey, between the States of New York and Pennsylvania, then the Treasurer of the Company is required to make return of the number of passengers and the number of tons of goods transported over the *whole line of the road*, and to pay to the Treasurer of the State at the rate of eight cents a passenger, and twelve cents for every ton of goods so transported thereon *in manner aforesaid*." The question is made upon the words, "the whole line of the road." The company have a depot at the city of New Brunswick, but their road extends almost two miles further towards the city of Trenton, and it is contended that for goods carried from Jersey City to New Brunswick they are not bound to pay any transit duty, because that is not the whole line of the road. The charter of the company authorizes them to construct a road from Jersey City to the city of New Brunswick, and it is understood that the chartered limits of the city of New Brunswick extend as far south as the termination of the road, but in the case of goods unloaded at New Brunswick they claim an exemption from the demands of the State. The words of the charter justify this construction, and I cannot but think that such is the true spirit and intention of this section. In construing statutes we must look into their spirit and object. This tax was not to be imposed until a road should be built intersecting the New Jersey Railroad, and then only on goods passing over the whole line. I incline therefore to believe that the company is right in this particular, and that it is not bound to pay for goods and passengers unless they go over the whole line. This exemption, it will be observed, is only claimed to passengers and merchandise that stop at New Brunswick, and can affect only a minor portion of their business: for all the charges on passengers and goods that do so pass over the whole line, which embraces the large amount of their business, the company have paid with promptness.

I commend this subject to your attention, from no desire to exact for the State anything more than is her due. If my

views of the question be right, the State is losing a considerable income which belongs to her, and which if we did not enforce, we should be unfaithful to the high trust which is confided to us.

This is not a new subject, for it has received more or less consideration from the Legislature during the last and the preceding year, but as different views were taken of the right of the State, I have thought it my duty distinctly to call your attention to the subject. The late Attorney General has expressed an opinion very much in accordance with those here given. I have been furnished with the views of the respective companies on these questions, and as it will enable you to see the grounds on which they act, and may aid you in coming to a just decision, I subjoin the reports which they have made to me for your consideration. Having discharged my duty in presenting this subject, it will remain for you to take such action upon it, as shall in your discretion seem most wise and proper.

#### *Morris Canal and Banking Company.*

The Morris Canal and Banking Company, I regret to learn from the Treasurer, have not paid the tax due from that institution to the State. They insist that as they have not employed their capital in the business of banking, but have expended it in the canal, they should not be compelled to pay the tax. This is a subject on which the Treasurer has no discretion, and he has therefore taken legal steps for its recovery, properly leaving the parties to make their application for any relief to the Legislature, where alone it can be afforded, if it shall appear to be due.

#### *Banking System.*

The banking system has become incorporated with our institutions, and is deemed indispensable to any community where business is conducted upon credit. When confined to its legitimate objects, and in the hands of honest and prudent men, it subserves the best interests of society. But the usefulness of banks depends mainly on the integrity, circumspection and intelligence of the persons to whom this management is entrusted. The object of affording security by restrictions upon a charter, has proved fallacious, and experience has shown that we must look to other grounds for protection. While it is true that adversity may befall an institution in the best hands, the personal responsibilities referred to, constitute after all the surest source of security.—The past few years have proved disastrous to all the business interests of the country; the rich have been made poor, and the most prudent have been overtaken in their caution. These embarrassments have naturally and unavoidably affected the banks of the country. I feel a just pride, however, in saying that, considering the times through which we have passed, the banks in no State of the Union have sustained themselves better than those in New Jersey. As a general rule, there is no doubt the officers and directors do all in their power to maintain the credit of their respective institutions. Located as we are between the two largest cities of the Union, we cannot fail to be more or less affected by their course in many operations, and when that is opposite, it follows that the eastern and western sections of the State are placed in different positions. This is peculiarly the posture of affairs at present: the banks in the city of New York pay specie, while those in the city of Philadelphia do not, and the banks in this State plainly show the influence of their locality. It is obvious, therefore, that one rule applied to all the banks in the State, would operate somewhat unequally, though it is in the highest degree desirable that one rule, and one only, should prevail. In reflecting upon the relative position of our banks I have felt it to be very difficult to decide on the true course to be pursued. On the one hand a prompt return to the payment of specie is of the first consequence to the credit of the State and her institutions, as well as to the business of the country, and on the other hand I cannot shut my eyes to the fact, that a too precipitous action may, as we have seen by the experience of other States, retard rather than advance the time for resumption. No other idea can be entertained by any other mind than that of returning to specie payments. It is the basis on which the

whole system rests, and there can be no security to the public in any other course. The only question is, whether the position of the banks is such as to justify further indulgence, and upon that subject I repose with great confidence in your discretion and prudence. By the returns which the banks are to make, you will be able to judge of their present condition and course of business, and from its acquaintance with the various districts of the State, the Legislature can justly estimate whatever necessity exists for further indulgence to those which continue in a state of suspension. The end to be obtained by a resumption is so desirable that it should be insisted on at the earliest day consistent with the ability and security of our institutions. Until such resumption shall take place, there is an obvious propriety in limiting the circulation of the non-specie paying banks to a reasonable amount according to their capital. The laws as they now stand, require from all the banks payment of their debts in specie, and the acquiescence of the public in a deviation from this rule furnishes an assurance that hitherto its necessity has been appreciated.

#### *Condition of the Treasury.*

The Treasurer, under the act of 1838, will lay before you as soon as his accounts shall be audited by a committee, a particular statement showing the condition of the Treasury, and of the School Fund. I do not suppose this statement will vary much from the one made last year, or that you will find in these accounts anything beyond the ordinary disbursements provided for by law. The fiscal concerns of the State, are happily simple and limited, and will require very little attention at your hands. While it would be gratifying to dispense with the ordinary State tax, small as it is, yet I am satisfied it cannot be prudently done at present. If the distribution of the proceeds of the sales of the public lands shall be made to the different States, as contemplated by the wise and just provisions of the Land Bill passed at the late session of Congress, I anticipate a sufficient receipt into the Treasury after that time to dispense with further taxation, and if that course should then be approved, to carry into effect several objects of a humane and philanthropic character, which I know are much desired by our constituents. When the money shall be received, it will then be time to legislate upon the subject.

#### *State Prison.*

I enclose a report from the Keeper of the State Prison.—It will be found very satisfactory, and exhibits on the part of the keeper a commendable enterprise in that arduous and responsible station. The number of prisoners in confinement is 151, being one less than last year at this time. He reports the prison to be out of debt, with a surplus on hand of \$1,272 60. He has adopted the true system of making all his purchases for cash, and his sales also, except to known and responsible contractors. I refer you to this report with pleasure, and with the expression of my conviction that the faithful and assiduous labors of the keeper have given him an honorable claim to your confidence and favor. The number of pardons during the past year is stated to be 13. It is proper to remark, that cases not unfrequently occur of convicts who come to the prison with broken constitutions, from previous habits of life, and the severity of continual solitary confinement is sometimes such as to require a pardon to save their lives. The keeper further reports that during the eight months he has had the charge of the prison, its operations have produced a nett profit, beyond its expenses, of more than five hundred dollars a month. This is the most favorable result that has yet been attained, and convinces me that its affairs have been administered with praiseworthy energy and economy. It should always be borne in mind that in none of the accounts which are exhibited of the prison, are the salaries of the officers included, or the repairs and alterations in the prison itself.

#### *School Fund.*

The Trustees of the School Fund will present their report during the Session, when such suggestions will be made on that subject as may be deemed necessary. I trust that this

most important interest will receive your fostering care, as it is certainly a subject of primary importance to the State and society at large.

#### *Resolutions of the Legislature of Massachusetts.*

I herewith transmit resolutions of the Legislature of Massachusetts in favor of restricting the eligibility of the President of the United States to a single term, and in favor of a law of Congress directing the election of electors of President and Vice President to be held on the same day in all the States, and also in favor of distributing the proceeds of the public lands among the several States. These resolutions were adopted in March last, but this is the first opportunity I have had of presenting them, and I do so now, although in the meantime Congress has acted upon the subject of the last named resolution in conformity to the wishes therein expressed.

#### *Quarter Master General's Report.*

The Quarter Master General's Report also accompanies this communication. The public arms will be found in good order and ready for use, though it is to be hoped that the day may be far distant when any necessity for such use shall arise. The recent disposition of the McLeod case has happily removed one of the irritating causes of dispute between this country and Great Britain, and we look with earnest hope to the pacific disposition of their respective governments, for an amicable and satisfactory adjustment of the long standing controversy concerning the North-Eastern Boundary. The feelings and the interests of both countries are alike opposed to a disturbance of the amicable relations which now happily exist between them, and a resort to arms for the adjustment of conflicting claims, which were better settled by negotiation, is, I am fully persuaded, strongly deprecated by the great body of the people in both.

#### *Suit to try the title of the Proprietors of East New Jersey.*

There is a suit pending in the Supreme Court of the United States, to try the title of the Proprietors of East New Jersey, to the lands covered by water, in this State. The Proprietors claim to have the right of soil in all the navigable rivers, and in the bays and arms of the sea; and, as you will perceive, it is a case which reaches our oyster grounds, our fisheries, and our power to build wharves and make docks. This cause is of the first importance to the people of the State, and the claim should be resisted in every legal and constitutional manner. I enclose a full report of this subject, made to me by one of the counsel on the part of the State, which will explain the situation and character of the case. It will be necessary that you make a suitable appropriation for the argument of the case, the present winter.

#### *Pilotage.*

The Report of the Board of Commissioners for Pilotage, is herewith submitted. This report confirms the opinion I have heretofore expressed to you, that the business of the board is conducted with an energy and usefulness in the highest degree commendable.

As no subject of a political character seems likely to disturb the harmony of your session, I cherish the hope that you will be able to discharge the responsible trust confided to you without any unnecessary delay, and bring your labors to a speedy close. I respectfully suggest that a return to the former usages of holding but one session is desirable and in accordance with the wish of your constituents. It is my present desire, Gentlemen, that your deliberations may result in promoting the best interests of the people, and that the same kind Providence whose protecting care has ever been over us since we became a free Commonwealth, and in whom is all our hope, will still continue to bless and prosper our efforts for the security and advancement of our common country.

WM. PENNINGTON.

TRENTON, October 26, 1841.



Public Schools in Connecticut.

The system of public education in New England has been generally viewed as very perfect. We observe, however, from the following report, that it also has its imperfections; the remarks appended to the table point out some of them, and may furnish useful hints to other states engaged in the noble work of education.

Extracts from the Annual Report of the Board of School Visitors of the First School Society, Hartford.

The following table exhibits the general condition of our common schools in several important particulars. The widely differing circumstances of city and country, has led to a classification of the facts in this report.

	Country Dis.	City Dis.
1. Number of children over 4 and under 16, in August, 1841.....	505	2226
Number of African children, " ....	30	116
2. Number of school districts.....	7	3
3. Number of public schools or departments under one or more teachers...	7	12
4. Number of scholars of all ages registered in winter	290	980
" " " in summer	279	869
Average attendance in winter.....	204	837
" " " in summer	198	607
Teachers, male, whole number employed in winter	3	5
" " " in summer	0	5
5. " " " through the year	0	3
" " highest rate of wages of, per year, they boarding themselves,..	\$360	\$800
" " lowest " " " "	\$150	\$400
" " average rate of, per month boarding themselves.....	\$25	\$54
Teachers, female, whole number employed in winter	4	14
" " " in summer	7	13
6. " " " through the year	2	12
" " highest rate of wages per year boarding themselves....	\$200	\$250
" " lowest " " " ....	\$72	\$150
" " average rate of, per month boarding themselves.....	\$7	\$19
7. Length of school in months, in winter.	4½	5½
" " " in summer	4½	5½
Aggregate amount of Teachers' wages..	\$900	\$5150
Amount of money received from School Fund.....	615	2882
Amount of money received from Town Deposit Fund.....	132	474
Amount of Grand List, about.....	\$207,000	
Average rate of taxation on Grand List, for repairs of school houses, &c.,...	1½ per cent.	
Nominal amount raised.....	\$3255	
Amount abated, stayed or not collectable, about.....	320	
8. Tax per scholar or Quarter Bills per year.....	4	
Nominal amount raised by quarter bills, about.....	3112	
9. Amount abated, about.....	1700	
10. Number of parents or guardians who pay .....	341	
Number of " whose quarter bills are abated.....	433	
10. Amount of Grand List of those who pay about.....	\$32,000	
11. Rate of tax on " to meet the quarter bills of those who don't pay.....	5 per cent.	
12. Number of private schools.....	21	
13. Number of scholars attending, do....	611	
14. Rate of tuition per year.....	\$8 to 16	
15. Whole amount for tuition in private schools.....	10,000	

- (1.) This number is large, but as the return is made under oath, it is to be supposed, it includes no person who is residing in any district to attend private school, or for other temporary purpose.
- (2.) The boundary lines of school districts are not clearly defined in some cases, and in others, divide property in such a manner as to increase unnecessarily the difficulties of laying a property tax on the principle now laid down in the school law. This can all be remedied by instructing the Society's Committee to re-adjust all the lines, and enter a description thereof in the records of the society.
- (3.) This includes the African School, which numbers about 60 children, and is in a very good condition. The colored population of Hartford contribute more to support the school in addition to their proportion of the money, which is \$223, than any district out of the city.
- (4.) It does not include the children of the Orphan Asylum, or those in charge of the Female Beneficent Society. If it is deemed advisable to educate these children in their several institutions, they should receive the benefit of the public money, which is drawn by the South District on their enumeration. It is thought, however, that it would be as well to send such as are old enough, to the district school, that they may grow up and be educated like other children.
- (5.) The change of teachers from male to female, and the employment of different teachers every summer and winter, result in a loss to the country districts of at least two months each, out of the nominal school year. To enable these districts to continue a well qualified teacher the year round, the society should appropriate the requisite sum in addition to the avails of public funds.
- (6.) Two of the country districts have continued their female teacher through the year with manifest advantage.
- (7.) In two districts the school is continued no longer than the public money will pay for, because the expense will fall on about one half of the families, as the capitation tax of the others will be abated. In consequence of this, the former support a private school, as soon as the public school closes.
- (8.) The quarter bills are 50 cents for the primary departments, \$1, for the secondary, and \$2, for the higher, in each of the city districts.
- (9.) To meet these abatements, it is necessary to make the quarter bills as large again as would otherwise be necessary. These abatements should be paid out of the common treasury, as a common burden. As it is now, it falls on some who are just able to pay their own school tax.
- (10.) Among those who pay are included at least one hundred, who only send apprentices or young persons employed in the family, while their own children are sent to private schools. Of the \$32,000 of grand list, one half of it at least belongs to such parents or guardians. Nine-tenths of all the property of the city is owned by persons who patronize private schools.
- (11.) This tax is nearly equal to the State, town and city tax, on the same property.
- (12.) The visitors are not prepared to say, that the private schools as a class are better than public schools, and yet the plea, with most parents is, that they are better, or at least, less objectionable than the latter. Only five of these schools are kept in appropriate buildings, the remainder are in small chambers of private houses, or in stores, up one or two pair of stairs, without any adequate means of ventilation, light, or uniform temperature and with wretched seats and desks. There are no playgrounds except the sidewalk or appropriate out of door arrangements attached to one half of them.
- (13.) The age of most of the pupils, and their studies indicate the deficiencies of part of our common schools. A large proportion of the children are young. Their parents object to their going to the public schools, situated in many cases, at a great distance from their rooms and thronged with children. To do away with these objections, and indeed to lay the foundation of a system of public schools, broad enough to meet the wants of the whole community, Primary schools must be planted in every section of the city where there are fifty or sixty children, and in these schools must

be placed teachers eminently qualified to interest, instruct and govern young children. Another class of children are over 12 years of age, and are pursuing the more advanced and practical studies of an English education, or the preparatory studies of a classic course. There is now no appropriate school system. To meet this demand and give completeness to the system, a high school for boys, and another for girls, or one high school with two departments, one for boys and another for girls over 12 years, (or what would be better for them who had advanced to a certain stage, to be ascertained by examination) is needed.

(14.) The rates of tuition range from \$8 to 16 in the schools for small children, and from \$16 to 23 in the higher institutions. The average is \$14 to 16.

(15.) One half of this sum judiciously expended, on a system of public schools, in connection with what is now paid for the latter would provide as good, if not better instruction for all classes than can be obtained in any private school of this city, which are now practically closed except to the wealthy.

[We omit the facts and suggestions under the heads, Studies, Books, Apparatus, Libraries, School Houses, Parental and Public Interest, Supervision, and pass to the conclusion arrived at by the visitors.]

Such are the more important facts, in the present condition of the public schools of this Society, and particularly of the districts embracing the population of the city of Hartford. From them it appears.

1. That there is a great want of interest on the part of parents, and the community generally in the condition and improvement of these schools, which is manifested in the thin attendance of school meetings, in the small amount of money voluntarily contributed, or raised by tax, for their support, in the large number of children sent to private schools, or to no school, public or private, and in the small amount of parental visitation made to the schools, while in session.

2. That less than one half of all the children of a proper school age are to be found either in summer or in winter, connected with the common schools, and that at any one time, but little more than one third are at these schools.

3. That the wages paid to common school teachers, and the social position accorded to them are not such as to secure the constant services of the best qualified and most experienced teachers in these schools.

4. That the school houses, with their external and internal arrangements, including school apparatus and libraries, are not such as the manners, health, morals, and intellectual proficiency of the scholars demand.

5. That the principle on which the school money is divided, viz: that of the number of children in each district without reference to the number who go to school operates unequally, inasmuch as it gives to city districts nearly four dollars on every scholar actually attending school and to the country districts, only about two dollars, on the same class of persons: and unwisely, as it holds out no inducements to districts or parents to see that their children are regularly and punctually at school.

6. That the system of quarter bills, or capitation tax, to the extent and in the manner now pursued is unwise, and unjust in its operation, inasmuch as it operates as a pecuniary motive to induce parents to withdraw their children from the public schools, for by so doing they escape their proportion of the abatements for poor children, and imposes upon those who do send and are less able to pay it than the rest of the community, a tax in addition to the quarter bills of their own children equal to all the other taxes of the city, town and State. It destroys the very character of the schools and makes them no longer public and common.

7. That the number and patronage of private schools, while they indicate the deficiencies of the public schools, withdraw the interest and children of the wealthy, professional and educated families generally of the city, from the public schools, and help to classify the children, and education of the whole community.

8. That while the money expended on common schools, from all sources, is insufficient to maintain such schools

as the wants of the age, and of our country require for all the children of the society, the same amount united with what is now expended on private schools would be more than sufficient.

9. That in all the important features of a well organized and successful school system, this society and city are behind many other cities and large towns of the same wealth, population and local importance in reference to their several States, as can be seen by reference to the accompanying document on "public schools in cities and large towns."

In addition to the suggestions already made, the following remedies are proposed:

1. That the school society as such, raise by direct tax the money which may be necessary, in addition to the avails of public funds, to maintain a sufficient number of common schools of different grades, under teachers of the first qualifications, for all the children of the society, and the school visitors be authorized to appoint a superintendent or agent, who in connection with the district committees, and under the rules and regulations to be prescribed by the society or the board of visitors, shall devote his whole time, if necessary to promote the usefulness of these schools.

2. That in case the school society, as such shall decide against the expediency of the above course, the three districts embracing the city of Hartford, be merged into one, for the maintenance of three grades of schools, viz:

Primary schools for young children, say between the ages of 4 and 8;

Three secondary or intermediate schools for children between the ages of 8 and 12; and

A high school for boys, and another for girls, over 12 years of age, or one school with two departments for the same object;

And that these schools be managed by a board to be elected by the legal voters of the district, and supported in all or in part by the avails of public funds, and direct tax on the broad, republican platform, that the instruction given in them shall be good enough for the richest and cheap enough for the poorest, family in the city. For a full explanation of the views of the board, the visitors refer to the accompanying report of a sub-committee of the board on the organization of the city schools, which they have adopted, and commend to the careful consideration of their fellow citizens.

3. That the avails of the town deposit fund, and of the school fund, be for the present year distributed to the several districts on the ratio of daily attendance, in each for six months, beginning with the 1st of November next.

4. That a tax of one cent, on all the real and personal property of the society, according to the grand list last completed, be laid, and the avails thereof be distributed to the several districts, according to such principle as may be prescribed, after deducting such sum as may be necessary to meet all abatements on the quarter bills of the poor, and the incidental expenses of the society.

All of which is respectfully submitted.

HENRY BARNARD, 2d Chairman.

I. N. Sprague, Secretary.

[The report of the sub-committee consisting of the Rev. H. Bushnell, Rev. J. S. Eaton, and L. Kennedy, Jr. on the re-organization of the city districts, together with the above report, will come up for consideration at the adjourned meeting of the society, at the City Hall, this evening.]

[Hartford Courant.]

#### Quick Work.

On Monday, at the brick yard of George Horn, corner of 6th and Master streets, Anthony Hoover made 44 rows of bricks, each row containing 53 bricks, in the space of two hours and seventeen minutes, and Samuel Rush made the same number, in two hours and twenty-four minutes. The trial was had for a wager of \$50, and was won by Hoover, by seven minutes' time in advance of his competitor. We question very much if such an amount of work in that time was ever done before.—*American Sentinel*.

**Public Meeting at Baltimore.***Railroad Orders.*

Pursuant to notice a public meeting was held yesterday evening at Monument Square, to receive the report of the committee appointed at a former meeting in relation to the city stock orders of the Baltimore and Ohio Railroad Company.

The Secretary read the following report which was adopted—

The committee appointed at a public meeting held at Union Hall on the 30th ult. to confer with the Mayor of the city, the President of the Baltimore and Ohio Railroad Company and the banks relative to the present state of the small note currency, submit to their fellow-citizens the following

**REPORT.**

Your committee first waited on the Mayor, who assured them that he would do all in his power consistent with his station, to aid his fellow-citizens in bringing the railroad issues to their nominal value.

Your committee having ascertained that it was the opinion of many intelligent citizens and of several bank officers, that the railroad issues were too large, deemed it proper, in the next place, to confer with the President of the Company relative to this fact. They accordingly waited on him and desired him to state whether a reduction of the issue to \$1,000,000—a sum which in the Mayor's opinion might be kept at par—could be effected by the Company. To this he replied that the Board of Directors would meet on the following day, when he would recommend them to appoint a Committee of their own body to confer with your Committee on the subject.

That Committee was accordingly appointed October 6, and on the 9th the two Committees met in conference, when the Committee on the part of the Company agreed to the proposal of a reduction of their issue to \$1,000,000, on condition that funds could be raised to effect that object.

With that view a circular addressed to each of the city banks was issued from the two Committees, requesting them to appoint delegates to confer in conjunction with them about the proper means of carrying the above proposition into effect. The proposed meeting took place on the 13th, and on that occasion, or on subsequent ones, all the banks were represented except the Mechanics' Bank, a letter from the President of which, John B. Morris, announced that that institution was "both *unable and unwilling* to share in any enterprise to receive the notes of the Company." By this it is apparent, that that bank, although it assisted, by not fulfilling its own solemn promises, to bring about that state of distress which the city now experiences, refuses to co-operate with similar institutions in the endeavor to remove it; and yet, in defiance of law, it still remains in a state of suspension, when, to preserve consistency, it ought, if unable to resume specie payment, either to have entered into a state of liquidation, or have declared itself insolvent.

At the meeting above mentioned it was resolved, after a full discussion, to refer the subject to the Mayor of the city, the Presidents of the respective banks, the President of the Railroad Company, and the chairman of your committee.—They met in conference on the 15th when after various propositions submitted to the banks, by the Mayor and the President of the Company, the meeting adjourned, leaving the propositions with the banks for their decision.

None of these propositions were, it appears, accepted, but to the following, which is the last proposed, no definite conclusion has been come to. It is this:—"That the banks shall adopt the whole issue of the Railroad Company, amounting to about \$1,500,000 as currency, each bank taking a sum proportionate to its capital, with power to convert it into such denomination of notes as the banks may desire;—that the whole shall be secured by pledge of City 6 per cent. stock at par, for which the banks are to receive interest at 6 per cent. to be paid quarterly from the time they commence receiving them, each bank to have the benefit of the loss hereafter on the amount of its circulation. The Railroad Company shall receive the old notes which are un-

fit for service by re-issuing new ones at its own expense.—The city is to have the privilege of paying off the notes, and redeeming the stock hypothecated."

Your Committee add with pleasure, that this proposition is sanctioned both by the Mayor, and by the President of the Company; and it is also satisfactory to them to be able to mention, that it emanated from the Bank of Baltimore, which institution has been favorable to the views of your Committee throughout the whole proceedings.

Your Committee deem it right to state that the saving to the City on railroad orders, is 6 per cent. on \$1,500,000; but as these orders are returned to her in payment of taxes, she pays them back to her officers and servants; by which process they lose as much of their honest earnings as they pay in discount. The city herself also has to sell the same paper to the brokers for bank paper to pay her debts to the banks, and interest on loans. It is evident, therefore, that whatever may be the loss, it must be made up in taxes: so that if the railroad issues continue at a depreciation, the loss to the city must occasion a loss to the tax-payers far greater than the saving of interest on her bonds; which loss must be supplied by future taxes. All of which is respectfully submitted.

JOHN W. RINGROSE, Chairman.

The following resolutions were then read and adopted:

1. That the suspension of payment by the banks, was the immediate cause of the issue of railroad orders; and that as in consequence of their present depreciation, great suffering is entailed on a large portion of the community, the public has a right to expect from the banks, in conjunction with the Railroad Company and the city authorities, the adoption of such measures as will bring the said orders to their par value.

2. That specie being no longer issued by the banks, it has ceased to become the standard of value, all promissory notes issued by individuals being considered legally discharged when paid in bank paper; but as there are now two paper issues, namely, one by the banks, and another by the Railroad Company, the public has a right to adopt in lieu of specie, that which it may deem the preferable one.

3. That as the notes issued by the banks are not redeemable in specie, they are of less intrinsic value than the orders of the Railroad Company, and that therefore, so long as this state of things remains, the latter are decidedly the better of the two.

4. That unless the banks resume specie payments forthwith, or adopt means for bringing the railroad notes to par, we will tender railroad orders in payment of our promissory notes, left in the banks for collection, and that in the event of the banks refusing to receive the said orders, we will leave them to recover their claims by due course of law.

*Resolved*, That the Mayor be requested to give, through the newspapers of the city, all the information and the correspondence in his possession between him and the banks of the city in relation to this most interesting subject, which in his opinion, is not incompatible with public good.

The meeting was subsequently addressed by Mr. I. Chandler and others, when a resolution of thanks to the Bank of Baltimore for its co-operation with the Committee and the Mayor, was unanimously adopted, and also a resolution of thanks to the committee. The meeting then adjourned until Wednesday afternoon next at 3 o'clock.

A verdict was on Monday last obtained by the U. States against the Bank United States for \$251,243 54, arising out of the bills of exchange protested in France.

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## Commercial Arrangement with Great Britain— Its Effects.

*Report of the Boston Chamber of Commerce, printed by  
order of the United States Senate.*

The Committee to whom was referred the operation of the present commercial arrangement with Great Britain, have attended to that subject, and respectfully state their views in regard to it.

They think that it will be found injurious to the interests of the country; that its tendency is to foster British navigation at the expense of our own; and that, in effect, it has done this to a deplorable extent.

The arrangement allows the imposition, without limitation, of duties on our produce imported into the British colonies from the United States, and that they may vary in different colonies; that, when imported into any colony, such goods may be naturalized, or considered as productions of that colony, and transported to any other free of duty; that goods may be transported from one colony or province to another, only by the British vessels; that American vessels may bring to the colonies or provinces nothing but the products of the United States.

To avail herself of the advantages which such an arrangement offered, England immediately imposed heavy, and, in some instances, prohibitory duties on our products, when imported into the West Indies from the United States, and admitted the same articles free of duty when imported circuitously through the provinces.

Such are the benefits to British navigation from the arrangement, that, as your committee are informed, Americans have become owners of British vessels to a very considerable extent, in order to avail themselves of them.

Before adducing the statistical facts which your committee think abundantly support their assertion, they will state some of the modes in which the arrangement is now made subservient to the interests of British ship owners.

Articles of our produce, to a very large amount are daily ordered to be shipped to the British provinces; they are sent in British vessels, *nominally* landed and naturalized, and sent directly to the West Indian colonies; the vicinity of a number of ports in the provinces where this can be effected, (within two days' sail from Boston,) renders this almost equivalent to a direct voyage from our ports to the West Indies, and it is one in which American vessels cannot participate. As may readily be supposed every facility is given in such ports of naturalization.

There is another mode, in which the arrangement favors British shipping, deserving of particular attention. British vessels proceed to our southern ports; if freights to Europe be obtained, they take a cargo of yellow pine lumber, return to the provinces, naturalize the cargo, and carry it to England. The duty on this article thus carried, is so much less than on its direct importation from the United States, as entirely to preclude its being carried in American vessels. This is done to a considerable extent, and your committee suggest, that, if such a discrimination of duty, on an article notoriously not produced in the British provinces, be consistent with the existing arrangement, they can see no reason why a similar duty may not be applied to our own staples, so as to throw the whole carrying trade between the United States and Great Britain into the hands of our commercial competitors.

Again with regard to flour, this article is admitted into the provinces, from the United States, free of duty. The amount thus imported by sea is immense, but insignificant in comparison with that carried into the provinces over the frontiers. The duty, in England, on flour from the provinces, is five shillings per quarter for the highest rate, and may be as low as sixpence per quarter. On the same article, imported directly from the United States, the duty ranges from a shilling per quarter to twenty-five shillings and eightpence; the rate of duty depends on the price in England, and is usually about twenty shillings per quarter, or four times greater than the duty on flour from the provinces. Here is a vast field for the employment of British vessels, to the exclusion of our own in the transportation of our own products.

There is another mode in which the arrangement favors British shipping, in the creation of what has been called the triangular voyage. Formerly, British vessels engaged in the colonial trade went to the colonies in ballast, or but partially laden; they often remained there a long time for the preparation of their cargoes, with which they returned to England. Now, they take full freights to the United States; thence, full or partial freights to the West Indies; and thence, full freights to England. Or, they proceeded with freights from England to the West Indies; whence, in a few days, they arrive at our southern ports, whence they obtain full freights for Europe. British vessels thus employed have a decided advantage over us, even in the direct freights to and from our own ports.

The gradual extinction of our direct trade with the British West Indies seems an inevitable result of the arrangement; the discrimination of duties on articles imported there directly from the United States, and on the same articles when imported circuitously through the provinces, will eventually turn the whole course of trade in that direction. The duty on flour from the United States is five shillings; and on beef and pork, more than twenty shillings per barrel; on lumber, it is twenty-eight shillings; and on shingles, more than three dollars per thousand. All these articles from the provinces are admitted free of this duty; of course, most of them are imported circuitously. And not only so; but the first freight to the provinces from the United States is in British vessels, in consequence of the facilities enjoyed by them at the ports of naturalization for transportation to the West Indies. In 1824, 1825 and 1826, the American tonnage which entered our ports, direct from the British West Indies, was 192,700 tons; in 1837, 1838 and 1839, it had diminished to 125,400 tons.

If such be the state of our direct trade, we have much to console us in the comparative increase of British tonnage and our own, in the whole of the colonial and provincial trade. The British tonnage cleared from our ports for the colonies and provinces in 1834, 1835 and 1836, was 51,800 tons; the American tonnage was 477,100 tons. In 1837, 1838 and 1839, the clearance of British tonnage, as above, was 1,235,500 tons, and of American but 1,126,000 tons; the increase of British tonnage in our own ports, during this whole period, being about ten times greater than that of our own.

In addition to our own vicious legislation, our competitors have other advantages over us. The expense of building vessels in the province is less, by about one-third, than that of building ours; and they are likewise manned and equip-



ped more cheaply. It is true, that, from their manifest inferiority, they do not command the same rates of freight as our own; but their influence is powerful for evil against us.

As the source whence the Navy—our right arm in foreign contest—must draw its whole strength, it has ever been our avowed policy to encourage our navigation; its importance may well entitle it not merely to a fair field, but to especial favor. Even a fair field is now denied to us. Many and great advantages are, by this arrangement, given to our most active competitors; and the annexed table, prepared from official returns, shows to what a fearful extent they have availed themselves of them.

*Table of American and British tonnage cleared from the several ports of the United States, for foreign ports, from 1824 to 1839, inclusive.*

Year.	American Tonnage.	British Tonnage.
1824.....	919,300.....	69,300
1825.....	960,000.....	61,900
1826.....	953,000.....	65,700
1827.....	980,500.....	94,800
1828.....	897,400.....	105,600
1829.....	944,800.....	87,800
1830.....	971,800.....	89,800
1831.....	972,500.....	211,300
1832.....	974,900.....	284,900
1833.....	1,142,200.....	377,200
1834.....	1,134,000.....	458,100
1835.....	1,400,500.....	523,400
1836.....	1,315,500.....	538,900
1837.....	1,266,600.....	536,400
1838.....	1,408,800.....	486,900
1839.....	1,477,900.....	491,500

The sudden and great increase of British tonnage subsequently to 1830, when the arrangement went into operation, cannot fail to be remarked. In six years, from 1824 to 1830, its increase was less than twenty per cent.; in the ensuing six years, from 1830 to 1836, it was six hundred per cent. The whole increase of American tonnage engaged in foreign trade from 1824 to 1839 has been but fifty-two per cent.; whilst that of British tonnage, in our own ports, has been more than four hundred and forty-seven per cent. in the same period.

Your committee deemed an estimate of the amount of the freights of American vessels in the foreign trade, now so jeopardized, not irrelevant to the purpose for which they were appointed; they accordingly submit such a one, from which it appears that the amount of these freights, earned by 667,200 tons of shipping thus engaged, is more than thirty-eight millions of dollars annually; and moreover, that there are 1,428,000 tons of American shipping engaged in the coast-wise trade, whose earnings must very much exceed that amount.

W. J. Loring,  
Philo S. Shelton,

William Ward,  
Nathan Rice.

*Committee.*

Boston, Feb. 9, 1841.

#### Unprecedented Despatch.

The brig Lycoming, Capt. Perez Judkins, Jr. arrived at Boston on Thursday morning from Cronstadt, having been absent (counting hours) less than *ninety-five days*. The brig was detained four days at Cowes, England, on her outward passage, and was fourteen days from the Grand Bank, when homeward bound. This is said to be, by *nine days*, the shortest voyage ever made from Boston to Russia and back. Capt. J. has thus performed a voyage from Porto Rico to Boston, thence to Russia and back, landing and receiving full cargoes, in *one hundred and twelve* consecutive days.

#### Buffaloes.

A drove of young buffaloes, thirty-three in number, passed through this city on Tuesday last, on their way to New York. Thirty-three buffaloes in one gang will, no doubt, be a rare sight for most of our eastern friends.

[Quincy (Ill.) Herald.

#### Important Improvement of the Transportation of Cotton by Water.

A patent has recently been obtained by George R. Griffin, Esq. of Alabama, for an improvement in the manner of transporting cotton to market by water, which promises to be a thing of great importance to the producers of that article, as its conveyance is rendered independent of steamboats or other vessels, and can be effected when the water in our rivers is so low as not to admit of the passing of the lightest crafts. The bales of cotton are made into rafts, and for this purpose cases of water-proof canvass are provided for each bale, which shall cover its bottom and four sides; and these are to be furnished with a lid of the same material, which in periods of heavy rain may be made to cover the top or upper part; also provision is made for combining these bales together so as to form a raft of any desired dimensions. In narrow passes they may be so arranged as not to have more than two bales in width, and where the channel admits of it the width may be increased *ad libitum*.

A well packed bale of two feet in height will not draw more than six inches of water; and should the bales ground they may readily be floated off without injury. Boards are to be loosely laid upon the bales to facilitate the walking upon the raft. The envelopes will last a number of years, and will soon repay their first cost. In one disastrous year it is said that half a million of dollars were lost by the destruction of cotton on our rivers; and every year the loss is immense. When we add to this the impossibility of navigating our waters at many seasons of the year, which the mode of conveyance in question appears likely to obviate, its actual economy may become a great recommendation of it.—At all events, the patentee, who is well acquainted with the business, has evinced his own confidence in the utility of the plan by ordering a sufficient number of the water-proof envelopes to give, at his own expense, a practical demonstration of its value; and who will not wish him the most perfect success?—*National Intelligencer*.

#### Bank of the State of Georgia.

*Statement of the Bank of Georgia and Branches for six months, ending October 2, 1841.*

BANK OF THE STATE OF GEORGIA, }  
Savannah, 18th Oct. 1841. }

Sir—I transmit to you herewith the semi-annual exposition of the state and condition of this bank and its offices. In submitting these documents, it is proper that I should remark that difficulties of the most unfortunate nature have occurred at the office at Macon, which it has been the anxious desire of this institution promptly to correct and remedy. The defalcation of the two prominent officers of that branch, as unexpected as it was deplorable, became known to this institution, only after an examination by the cashier of the principal bank, sent there for the purpose of a general revision of its affairs. The obvious duty imposed upon us by the existing state of things there, was forthwith to withdraw the bills of that branch from circulation, and adopt effective measures for adjusting and settling its business. These measures are in progress of fulfilment, under the superintendence of an agent in every way competent and trustworthy. At the period when the discoveries were made, the branch had an actual circulation of \$136,014, though the returns made on oath by their president and cashier, dated April 3d, 1841, represented the amounts to be only \$85,809, since which, up to this date, \$75,722 has been redeemed, and \$60,292 is now the total amount remaining out, and the public can sustain no loss, as the bills will be protected by this institution. It is proper also, in making this communication, further to remark, that this bank and its branches have sustained specie payments, during the recent period of great pressure. To do so, however, and faithfully to discharge their important duties, they have been compelled to curtail their circulation and their business transactions, and consequently their profits have been proportionably di-

minished. The deranged state of the currency, (created in a great measure by the extensive circulation of the bills of the non-specie paying banks) has operated very oppressively and injuriously upon the specie paying institutions;—for while a portion only of the banks of the State furnish coin for their bills, those banks must necessarily be called upon to redeem their bills in coin or exchange on the north, its equivalent; and the suspended banks being allowed to enjoy perfect immunity from such demands, their bills must constitute the currency, to the ultimate injury of the commerce of the country and the probable loss of the public. As an illustration, I subjoin hereto a table containing a statement of the circulation, profits and specie of this bank and its Branches at the settlements in April and October 1840, and in April and October, 1841, from which it will be seen, that while the general circulation in April, 1840 was \$953,532, the profits for the previous six months were \$77,555, and the amount of specie \$266,982. At the settlement in October, instant, the general circulation was only \$288,122, the profits \$32,749, and the specie \$200,956. A diminution in circulation and profits so disastrous, as only to find consolation in the fact of the continued sound condition of the bank, and in the gratification of having firmly and steadily discharged the obligations alike due to the stockholders and the community.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. B. BULLOCH, President.

To His Excellency, CHAS. J. McDONALD,  
Governor of Georgia, Milledgeville.

*Dr.*

To discounted notes and acceptances.....	\$1,453,419	57
" Bonds, stocks, &c.....	246,270	00
" Bills of exchange.....	131,965	53
" Real estate .....	15,775	81
" Banking houses and lots.....	81,257	00
" Salaries .....	17,940	85
" Assignment of a judgment .....	5,100	00
" Incidental expenses.....	6,638	05
" Deficiency of Nathaniel Barker, late cash- ier at Macon .....	55,777	20
" Balances due from other banks.....	40,568	56
" Do branches .....	114,359	24
" Do Bank State of Georgia to brach's	11,742	39
" Protest account .....	545	75
" Bills of branches on hand.....	69,102	00
" Bills of other banks on hand.....	37,675	00
" Specie on hand .....	200,960	23
	<hr/>	
	\$2,489,106	18

\$2,489,106 18

*Ct.*

By capital stock.....	\$1,500,000	00
“ Bills in circulation* .....	357,224	00
“ Discount account.....	56,606	26
“ Dividends unpaid.....	8,787	00
“ Surplus fund .....	59,369	97
“ Balances due to other banks.....	161,241	37
“ Do to Bank State of Georgia and branches.....	93,828	70
“ Do to branches .....	39,914	16
“ Individual deposits .....	212,134	72
	<hr/>	
	\$2,489,106	18

\$2,489,106 18

* Reported circulation as above . . . . .	\$357,224 00
Deduct this amount on hand (see debit side)	69,102 00

Leaving an actual circulation .....	\$288,122 00
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A. PORTER, Cashier.

October 14th, 1841.

*The following is a Statement showing the amount of Capital Stock used at the Bank of the State of Georgia in Savannah, and the amount assigned to and used at each Branch. Also, the amount of Specie on hand at each semi-annual settlement in April and October, 1840, and April and October, 1841; the notes in circulation, and the net profits made during each six months.*

WHERE AT	Capital.	SPECIE.				BILLS IN CIRCULATION.				NETT PROFITS.			
		1840. April.	1840. October.	1841. April.	1841. October.	1840. April.	1840. October.	1841. April.	1841. October.	1840. April.	1840. October.	1841. April.	1841. October.
Savannah .....	\$450,000	\$53,037	\$84,446	\$60,482	\$57,353	\$138,020	\$139,867	\$120,633	\$92,961	\$22,631	\$19,709	\$19,829	\$14,315
Augusta .....	450,000	89,184	89,465	83,436	74,521	331,174	150,394	46,418	23,820	23,538	12,468	11,314	6,506
Milledgeville.....	100,000	14,421	13,802	588	478	19,993	18,500	10,514	9,424	2,447	1,201	1,566	926
Washington.....	100,000	21,584	20,247	28,267	16,023	102,482	80,487	58,275	41,505	4,800	4,877	3,215	2,678
Eatonton.....	100,000	29,606	28,445	27,208	26,747	80,346	62,858	48,517	43,524	4,370	4,803	4,234	3,996
Greensboro' .....	....	3	8	7	1	3,705	3,705	3,379	2,373	214	726	992	496
Macon.....	200,000	25,364	46,541	10,636	7,416	226,844	198,409	85,809	98,062	15,128	9,584	4,209	....
Athens.....	100,000	33,783	33,187	26,975	18,417	98,030	91,035	75,860	45,355	4,427	4,508	4,973	3,832
Total.....	\$1,500,000	\$266,982	\$316,141	\$237,599	\$200,956	\$1,000,594	\$745,255	\$419,405	\$357,224	\$77,555	\$57,876	\$50,332	\$32,749
Deduct from bills in circulation the sums on hand.....						47,062	49,038	21,160	69,102				
Leaving in actual circulation .....						\$953,532	\$696,217	\$428,245	\$288,122				

A. PORTER, Cashier.

PENNSYLVANIA ELECTIONS.

Below is presented a Table showing the vote for Governor, between Porter and Ritner, in 1838—the vote for President, in 1840—and the official result in 1841, as contained in the certified copies on file at the Office of the Secretary of the Commonwealth, Harrisburg.

COUNTIES.	1838.		1840.		1841.	
	GOVERNOR.		PRESIDENT.		GOVERNOR.	
	Porter.	Ritner.	V. Buren.	Harrison.	Porter.	Banks.
Adams.....	1,535	3,310	1,628	2,453	1,599	1,911
Alleghany.....	4,505	6,038	4,573	7,620	4,281	5,068
Armstrong.....	2,781	1,510	1,744	1,260	1,822	1,096
Beaver.....	1,931	2,457	1,710	3,143	1,751	2,158
Bedford.....	2,384	2,290	2,446	2,910	2,550	2,261
Berks.....	7,101	3,215	7,425	3,582	7,495	2,925
Bradford.....	2,420	2,219	2,844	2,631	2,705	2,143
Bucks.....	4,553	4,147	4,488	4,705	4,412	4,066
Butler.....	1,653	1,700	1,804	2,100	1,674	1,716
Cambria.....	814	762	920	811	874	810
Centre.....	2,589	1,467	2,242	1,447	2,399	1,126
Chester.....	4,527	4,971	4,882	5,643	4,565	4,711
Clearfield.....	792	474	812	499	886	419
Clinton.....	....	....	649	637	786	603
Columbia.....	2,616	1,088	2,829	1,325	2,569	1,103
Crawford.....	2,304	1,957	2,908	2,469	2,815	2,099
Cumberland.....	2,743	2,316	2,695	2,790	2,721	1,997
Clarion.....	....	....	1,366	648	1,500	555
Dauphin.....	1,914	2,843	2,187	3,124	2,249	2,649
Delaware.....	1,263	1,731	1,335	2,031	1,289	1,578
Erie.....	1,565	2,747	2,061	3,636	1,855	2,956
Fayette.....	2,788	1,984	3,035	2,755	2,749	1,812
Franklin.....	2,815	2,560	2,892	3,586	2,779	2,636
Greene.....	1,849	1,169	2,010	1,350	1,763	949
Huntingdon.....	2,761	3,687	2,266	3,020	2,551	3,258
Indiana.....	1,262	1,723	1,269	1,953	1,195	1,557
Jefferson.....	591	421	592	476	678	447
Juniata.....	1,049	863	1,043	966	971	868
Lancaster.....	5,503	8,558	5,472	9,678	4,914	8,085
Lebanon.....	1,553	2,228	1,402	2,369	1,542	1,840
Lehigh.....	2,460	2,349	2,451	2,405	2,553	2,328
Luzerne.....	3,132	2,592	4,119	2,774	3,426	2,194
Lycoming.....	2,406	1,555	2,181	1,504	2,261	1,393
McKean.....	219	127	275	262	242	199
Mercer.....	2,326	2,935	2,336	3,249	2,318	2,762
Monroe.....	1,223	366	1,447	1,345	1,293	269
Montgomery.....	4,558	3,748	4,869	4,068	4,402	3,144
Mifflin.....	1,177	1,109	1,269	1,226	1,324	1,124
Northumberland.....	2,144	1,164	2,187	1,251	2,162	1,143
Northampton.....	3,634	2,566	3,838	2,846	3,467	2,302
Philadelphia City.....	3,155	7,203	4,774	7,655	4,380	5,920
Philadelphia County.....	7,982	6,187	13,303	10,189	11,090	7,348
Perry.....	1,916	883	1,970	1,072	1,827	870
Pike.....	526	117	524	135	510	74
Potter.....	276	68	363	180	365	154
Susquehanna.....	1,530	1,264	2,023	1,560	1,962	1,152
Schuylkill.....	2,271	1,508	2,184	1,881	2,408	1,415
Somerset.....	883	2,244	765	2,501	792	1,853
Tioga.....	1,448	591	1,721	895	1,598	574
Union.....	1,595	2,268	1,518	2,423	1,568	2,232
Venango.....	1,765	828	1,275	855	1,280	755
Warren.....	700	542	929	827	963	628
Westmoreland.....	4,515	2,315	4,704	2,778	4,080	2,135
Wayne.....	1,062	538	1,188	675	1,167	553
Washington.....	3,461	3,528	3,611	4,147	3,434	3,291
York.....	1,196	3,257	4,382	3,792	3,825	2,429
	127,821	122,325	143,675	144,018	136,576	113,573
	122,325	....	....	143,675	113,573	....
Porter's majority	5,496		Har. maj.	843	23,003	Porter's maj.

The official returns in 1833 do not show a full vote. In Dauphin, two polls were held in Hanover; the vote at the Porter poll (221) was rejected. In Lycoming County, the vote of Youngwomanstown (giving nearly 500 majority for Ritner) was likewise rejected. In Philadelphia County, the vote of the Northern Liberties was rejected by return judges. The entire actual vote for Governor sums up—

David R. Porter, .....	133,555
Joseph Ritner, .....	126,029
Porter's majority, .....	7,526

In 1840, the vote was 288,035. In 1841, the vote, adding the Abolition and all other votes—was 250,965. One of the townships of Armstrong County was rejected. It gave a Whig majority, and we have added it as a part of the vote of the State. Porter's majority 23,003.—*Ledger*.

### Treasury Notes.

*Treasury Department,* }  
November 3, 1841. }

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840.

	\$26,681,337 53
Redeemed of those issues .....	24,924,725 64
Leaving outstanding the sum of, .....	\$1,756,611 89
Issued under the act of Feb. 1841, viz.	
Prior to the 4th of March, ...	\$673,681 32
Since the 4th of March, .....	5,349,165 58
Making .....	6,022,846 90
Returned of that issue, .....	407,753 00
Leaving outstanding, .....	5,615,093 90
Aggregate outstanding on the 1st instant, ...	\$7,371,705 79

McCLINTOCK YOUNG,  
*Acting Secretary of the Treasury.*

### Anthracite Iron.

Mr. Editor:

I notice in the United States Gazette of 22d instant, a communication signed "A Subscriber" requesting information on the subject of anthracite pig iron, and whether its conversion into malleable iron has been effected without extra expense sufficient to render the manufacture unprofitable.

After having worked nearly 500 tons of the various sorts of anthracite pig iron, smelted in Pennsylvania and New Jersey, I feel myself fully competent to give an opinion on the subject, and would state that I have converted the above amount of iron into good sheet iron, rods, &c. &c. with but trifling extra expense, if any when compared with the ordinary brands of charcoal pig iron.

I would not be understood to say, that anthracite pig iron is fully equal in quality to the very best brands of charcoal pig iron for conversion into malleable iron, but, much of the anthracite iron which I have tried, has proved greatly superior in quality to the ordinary sorts of charcoal pig iron, and was converted into the malleable state at about the same cost. I find too that its conversion is generally more rapid and consequently attended with rather less consumption of fuel than charcoal iron.

I have reference now to its conversion by the ordinary process of puddling with anthracite coal as fuel, but by the boiling process (as it is termed,) I have with the same kind of fuel in a properly constructed furnace, converted the poorest No. 3 anthracite pig iron into the most superior quality of chain iron at an extra expense of \$5 a \$6 per ton when compared with the very best charcoal pig iron. With reference to the waste, I find it in the best sorts of anthracite iron to differ but little from charcoal pig.

I have had no experience in its conversion by the process ordinarily used in Pennsylvania by means of charcoal as fuel, but I have been informed by an intelligent iron master, who has tried the experiment, that the anthracite pig produced by the Lehigh Crane Iron Co. yielded a first rate quality of bar iron by that process.

There is no doubt a great prejudice existing among iron masters with regard to the employment of anthracite pig iron in their forges, this I think time will overcome, and I would suggest to the smelters of anthracite in Pennsylvania whether as a matter of policy it would not be advisable for them to convert their more inferior sorts of pig iron, into plate or refined metal, and sell it to the forges in that state; this, although it has not yet been done entirely with anthracite as fuel, can I believe be effected or certainly by a mixture of charcoal and anthracite. By pursuing this course, a much better article will be produced at no great extra expense, their furnace may be more heavily burdened so as to produce the utmost quantity of pig iron possible for refining, and probably at more profit than running with lighter burdens for grey iron—and its advantages to all puddling establishments would be great, as the labor of puddling pig iron, particularly in hot weather, is excessive, the plate iron can be more easily converted in greater quantities, and with less fuel, and the wages for conversion would be reduced in proportion.

One of the most intelligent anthracite furnace proprietors in Pennsylvania has assured me he shall pursue this course, and I have no doubt it will be productive of much benefit and profit both to himself and the forge owners purchasing the refined metal.

*U. S. Gazette.* { A NEW JERSEY IRON MASTER.

### Products of Maine.

A Portland paper states that the quantities of *Lime* annually exported from Thomaston in that State alone, amount to 400,000 casks, producing about half a million of dollars, generated almost wholly by labor, the cost of the raw material being about fifteen cents per cask. Four towns in the neighborhood produce about as much more. The number of vessels built in the district in which this material is found was, during the past year, 18 ships, 13 brigs and 16 schooners. Another resource of Maine, now almost dormant, is the immense quantities of slate in the same region, and of a quality quite equal to that of New South Wales.

### Dividends at Philadelphia.

The following dividends have been declared by several of the banks of Philadelphia:

Southwark, .....	3	per cent.
Commercial .....	3	do
Manufacturers' and Mechanics' .....	2½	do
Western .....	3	do
Northern Liberties, .....	2½	do
Moyamensing .....	2½	do
Mechanics' .....	2½	do
Farmers' and Mechanics' .....	2½	do

The Philadelphia Bank, we understand, resolved to declare no dividend until they could ascertain the value of the securities which they hold.

The Girard Bank being called upon to declare a dividend, and being uncertain as to the exact profits, declared a nominal dividend of one cent on each share.

The Chesnut Hill and Spring Hill Turnpike Company declare a dividend of three and a half per cent. for the last six months, payable after the 11th inst.—*U. S. Gaz.*

### Legislation Extraordinary.

The following curious resolution was lately adopted in the Tennessee Legislature:

Resolved, That there shall be neither *pipe* nor *cigar* smoked within the Senate Chamber during the hours of business at the present session of the General Assembly.



Alabama Banks.

The following Memorial to the Legislature of Alabama, below is copied from the last Democrat, and is circulating in Madison county for signatures.

To the Honorable Senate and House of Representatives of the State of Alabama.

Gentlemen :—The condition of your State Bank and its branches has become a subject of deep and exciting interest with every citizen who estimates properly the important results involved in their successful or disastrous termination. Upon the issue hangs the prosperity of the State for some years to come, and the measures adopted at your present session must settle the question for weal or wo. Your memorialists, therefore, impressed with the belief that these are truths which cannot be controverted, beg leave, most respectfully to call your attention to the necessity of immediate and energetic action on your part, in order to arrest the tendency which has been given them towards a most ruinous if not fatal conclusion. A condensed view of their capitals, losses sustained, and annual expenditures to be made, will illustrate beyond the possibility of doubt, the well-founded apprehensions which your memorialists so seriously entertain.—These are taken from the Reports of the Commissioners who examined your banks the last year—the statements of the banks themselves, and the consolidated Report of the Committee to which these reports and statements were referred.

Capitals raised by the sale of State bonds.....	\$10,859,556
University and other funds used as a part of the capital of the State Bank.....	1,058,195
16th Section School Fund.....	655,000
Nominal profits standing to the credit of Sinking Fund.....	2,161,972
Making the capital of all the banks.....	\$14,734,723
From which there must now be deducted,	
For bad debts.....	\$5,532,207
“ Doubtful.....	1,738,163
“ Unknown.....	1,360,524
	8,630,894
Leaving the present capital of the banks.....	\$6,103,829
From the profits made by the banks on the business done on this remnant of their capitals, the following annual expenditures have to be made :	
Annual interest on State Bonds sold.....	\$563,968
Premium and commissions on sterling exchange paid annually for funds to pay that portion of the interest due in London.....	16,500
Annual interest on University and other funds used as part of the capital of the State Bank.....	93,491
Annual interest on 16th Sectional School Fund.....	55,000
Annual expenses of the State Government ...	143,000
Given away annually to valueless 16th Sections.....	200,000
Annual expenses of the banks.....	120,000
Making.....	\$1,161,959

Your memorialists are satisfied that a profit of more than 10 per cent. on the remaining capitals of your banks cannot be realized. According to this estimate \$610,382 will be the gross profits for the present year, which deducted from \$1,161,959, the annual expenditures, leaves a loss of \$551,577, to be taken from the capitals,—which loss must increase in an inverse ratio with the rapidly diminishing capitals for each successive year, until the whole is consumed. To avoid, if possible, such a state of things, your memorialists pray that the law requiring the banks to pay the expenses of the State Government, and the law requiring them to give away annually to valueless 16th Sections \$200,000, be repealed—that the banks be compelled to appropriate the whole of their present and future available means to the redemption of the State bonds sold for their capitals, upon the best terms they can be purchased—that

they be prohibited from making further loans on accommodation paper—that the payments now required by the existing laws be rigidly exacted—and that the expenses of the banks be reduced to the most rigid scale of economy compatible with their proper and efficient management.  
[Huntsville Advocate.

Pittsburg Powder Mills.

The Pittsburg Gazette of the 9th inst. contains a full description of the extensive powder mills lately erected and put in operation, 2½ miles above that city, on the bank of the Monongahela by Andrew Watson. The plan of these works is said to be original with Mr. Watson and his brother, as neither have ever seen the interior of any other powder mill. Everything in their works is conducted with great care. Gravel, &c. is kept carefully swept out of the buildings where there is danger, and the workmen only enter them without shoes. We hope this enterprise may be sustained. From the statement in the Gazette, we compile the following :

Eleven buildings are completed. The principal range front 700 feet on the Monongahela, and are bedded at the rear and ends in a high bank of earth excavated for that purpose. They stand about 100 feet apart. The front and roofs of wood, the back and end walls stone two feet thick, so built against the earth that in case of explosion, its force may be spent towards the river removing the wood work, and leaving the rear and end walls unharmed. There is a railroad along the whole front of these buildings, for transporting the materials and the manufactured articles from one building to another in the progress of the manufacture. The following will give an idea of the buildings and their use.

1. The *Boiler House*, is in the rear of the front range, 200 feet distant from the Engine House. It contains 6 steam boilers, and two charcoal furnaces. The charcoal is made of sycamore and white maple—the wood is put into large iron pots, closed tight, and the gasses let off at the side near the bottom. The boiler and furnace flues are taken under ground 300 yards and discharged through a chimney in a grove of trees.

2. The *Store House*, where the raw material, sulphur, saltpetre and charcoal are kept and weighed out in proper proportions for the manufacture.

3. The *Engine House*, in the front range, containing 2 engines, attended by one Engineer, standing between them. The steam is conveyed from the Boiler House under ground to the engines. In this house the raw material is ground and mixed, and then passed on a car to

4. The *Mill*, next in the range, where it is further ground under cast iron cylinders of 4½ tons weight. It is then taken to

5. The *Pressing House*, where it is pressed in hydraulic presses, supplied with water brought over the hill. The cake is cracked as it comes from the press, and passed on to

6. The *Graining House*, where it is broken and sifted into coarse and fine powder, by machinery, and is then taken to

7. The *Glazing House*, where it is passed between wooden, and iron faced with copper, revolving cylinders, where steam is permitted to pass. The powder is kept at a high temperature, and polished. It is then returned to the Graining House, there sifted, and sent to

8. The *Drying House*, where it is deposited in shallow drawers ranged in racks, and left exposed to a free circulation of air. There are upwards of 1000 drawers, each receiving four pounds. The room is kept at a temperature of about 100 degrees Fahrenheit, by steam. When dried, the powder is placed in

9. The *Magazine*, one hundred feet in the rear of the Drying House in a finished state.

Short Passage.

The Linden cleared from New York on the 1st inst. and arrived off the bar, Mobile, on the 11th, making the passage in 10 days. Her sails were not shifted once during the whole voyage.

## INAUGURAL MESSAGE

OF GOVERNOR JONES OF TENNESSEE.

*Fellow-Citizens of the Senate*

*and of the House of Representatives :*

By the provisions of the Constitution, it is made the duty of the Executive, to communicate to the General Assembly, from time to time, such information touching the public interest as may be in his possession.

In discharging this duty, I avail myself of this occasion to present to your consideration such questions as seem to demand the attention and action of the Representatives of a free and enlightened constituency.

In communicating with you for the first time, it is cause of mutual gratulation that we are still secured in the possession of all the rights and privileges guaranteed to us by the Government of our country, and that all the elements of prosperity continue to surround us. By the smiles of a kind and beneficent Providence, and the justice and wisdom of our laws, we have risen from a small to a great and powerful nation. And although we are subject to revulsions and seasons of depression, still the energies of our people, when aroused, will ever be found sufficient to overcome these temporary reverses of fortune.

### *Extraordinary embarrassments and their causes.*

Our country has, for the last few years, been laboring under great and extraordinary embarrassments, and from the effects of which it has only partially recovered. But it is confidently believed that the industry, patience and energies of our citizens will be found fully adequate to the crisis ; and we may confidently anticipate the day as not very distant, when our country shall be visited once more with prosperity.

The temporary derangements in commerce and trade are not peculiar to our government ; they will sometimes occur under the wisest and best governments. But they are always attributable to some adequate cause ; and it is the peculiar province of those who have been chosen as the guardians of the public interest to determine where the defect is, and apply the corrective.

The causes which have induced the present embarrassment under which we labor, may be traced with the utmost accuracy and precision. It is an axiom in political economy, that when a community or people buy more than they sell, the balance of trade will be against them, and pecuniary embarrassments and distress must follow as a consequence. Each individual liability furnishes a constituent part of the great aggregate of that general indebtedness which has afflicted the country for the last few years. How far the action of our government has contributed to produce this result, must be determined by a recurrence to such facts as have developed themselves for the last few years.

It is a proposition demonstrated by all experience, that the example of the administrators of government have a powerful and controlling influence on individual action ; and just in proportion as a government or nation indulges a spirit of profligacy and extravagance, there will be a corresponding tendency to the same indulgence on the part of individuals.

That these individuals on whom the pressure has fallen with the most severity, are the direct agents in producing their own misfortunes, will not be doubted. There was no imperious or unavoidable necessity constraining any citizens to indulge in extravagance, or to create large and heavy liabilities, from which they have not been able to extricate themselves. Whilst each individual victim must be regarded as the ostensible author of his own ruin, still it must be conceded, and cannot be successfully denied, that there has been a remote and exciting cause that has exerted a powerful influence in producing this distress which everywhere pervades the country.

Most of the evils of which we complain—the stagnation in trade, the depression of commerce, the derangement in currency, a depreciation in the value of our products, and

the consequent diminution in the rewards of labor—may justly be attributed, in part, to the action of the General Government.

The prosperity of the country was firm, steady and progressive, up to the spring of 1834. Shortly after that time trade seemed to have received a new and extraordinary impetus ; every species of property increased in value, money became abundant, and the country everywhere exhibited the greatest prosperity.

This season of plethora continued until the spring of 1837, when the bubble burst, and the reality was unveiled in all its horror. This memorable crisis in the monetary affairs of the country was produced by the destruction of the Bank of the United States, and the attempt to regulate and control the currency and exchanges of the country by the agency of local institutions. From the day that war was declared against the Bank of the United States, and the edict went forth that the monster should be destroyed, (and hundreds of smaller ones substituted in its place,) from that day we may date the beginning of those troubles and sorrows that have filled the land with mourning and distress. The funeral knell of the United States Bank was the signal for the creation and establishment of hundreds of local and State institutions.

Having dispensed with the United States Bank as the fiscal agent of the Government, it became necessary to resort to some other mode of fiscal agency. The adoption of a number of State institutions was embraced as the substitute ; and in order to allay disquietude in the public mind, and to supply the vacuum created in the circulation of the country, an edict emanating from the Executive Council, was directed to those unpledged agents of government patronage not to hoard up the public moneys of the country, but that they should be used in affording such facilities to trade as the condition of the country might require.

In obedience to this injunction, the deposit banks adopted a generous and almost unrestricted system of discounts and accommodations ; the other State banks taking license from the example of the pet institutions, pursued the same reckless policy. During the short period that the banks were enabled to sustain themselves in this policy, everything went on swimmingly, and the advocates of this experiment proclaimed to the world that it was successful. Facilities for liberal bank accommodations were freely offered. It was only to ask and receive.

The ordinary pursuits of life were abandoned, the farm and the workshop were forsaken ; their occupants yielding to allurements spread out before them, were almost unconsciously drawn out into the vortex of speculation and extravagance, under the vain and delusive hope of acquiring fortunes by an easier process.

In the midst of this pleasing delusion the banks sunk under the weight of their innate defects, and the victims of the destructive policy, left to struggle against the fearful destiny which but too certainly awaited them.

In surveying the past, although we find much to regret and condemn, still there is cause of rejoicing that we have so far recovered from the shock as to enable us to anticipate the day as not very far distant when we may enjoy our original prosperity.

### *Condition of the Banks of our State.*

Among the various questions that will claim and doubtless receive your attention, the situation and condition of the banks of our State is certainly one of the highest importance.

A sound and convertible currency is deemed essential to the prosperity of any country, and it is the duty of the representatives of the people to secure to their constituents the invaluable blessings that flow from a sound circulating medium as far as may be in their power.

The banks of Tennessee, yielding to the panic which everywhere pervaded the nation in the spring of 1837, suspended specie payments, and remained in that condition in common with most of the banks in the other States until the spring of 1839, at which time it was thought they could resume and continue the payment of specie for all their obli-

gations. The experiment was made, and they were able to pay specie until some time in October, 1839, a few months from their resumption, when they again suspended, alleging that the causes which had induced the first suspension were only partially removed. How far the circumstances that surrounded the country, or the causes that are alleged to have induced the suspension may be relied on to justify the violation of their engagements, is a question that each individual will be disposed to determine for himself. The first and most sacred duty of the Representatives of the people is to guard and secure their rights and protect them from the infliction of injury or injustice.

The interest of the State requires that the banks shall honestly perform all their promises, and faithfully meet all their engagements.

The same high moral and legal obligations that attach to an individual to comply with his contracts, rest with equal force on corporations or banks. It is therefore due to justice, to honor and morals, that our banks shall return as speedily as practicable to a faithful discharge of all their engagements.

I therefore recommend to your consideration the necessity and propriety of adopting such a policy as will require and enable our banks to resume the payment of specie at an early day.

It is confidently believed that the banks of our State are in a sound and healthy condition, and with such assistance as the General Assembly may afford, I doubt not may be enabled to resume and continue the payment of specie.

A strict and careful investigation into the condition and management of the banks may result in much good; it will afford the means of discovering and remedying such defects as may possibly exist, and if their conditions be such as it is hoped and believed they are, a legislative expose would go far to excite public confidence; without which it is impossible for any institution of this kind to sustain itself, or operate successfully or beneficially to the country.

It is certainly not the part of wisdom or sound policy to make war on the State institutions; for in doing this you war by indirection on the people. The banks are so interwoven with the interests of the people that anything that would operate oppressively on them would extend in its effects to the great body of the people. The Bank of Tennessee demands peculiarly the fostering and protecting care of the Legislature; it is the people's bank, owned by them; the revenues of the State are there; the school fund is there; a fund that is sacred, and which should be guarded by the Legislature with parental care.

Let us guard, protect and defend our institutions, and enable them by all the means in our power to effect the great ends for which they were chartered.

How far State institutions may be able to furnish a sound currency is a question of doubt; that they may be enabled to furnish a sound territorial circulation is conceded, but that they have the power to furnish a national circulation that will be equal and uniform, is a power they do not possess, and an effect they never can produce.

#### *A National Bank.*

I had confidently expected that this desideratum would have been accomplished by the creation of a National Bank by Congress at its late Extra Session; but in this the just expectations of the country have been defeated by the interposition of the Executive will.

#### *Internal Improvements.*

A revision and amendment of the law creating a system of internal improvement demands your consideration. The encouragement of internal improvement is a duty enjoined on the Legislature by the Constitution, and one from which they cannot escape.

That a well regulated system of internal improvements would tend greatly to develop the resources of the State; increase the energies and enterprise of her citizens, by opening new avenues to trade and commerce; diffusing a spirit of industry among the great body of the people, by affording an early transportation of their surplus products to market,

and that it would add greatly to all the sources of public prosperity, does not admit of a well grounded doubt. How far the present system is calculated to effect these desirable ends, is, to say the least of it, doubtful.

I can but regard the law of 1837 as impolitic, unsafe and wholly inadequate to accomplish the objects contemplated.

I do not impugn the motives of its authors; for I doubt not the honesty of their purpose or purity of their motives. It was but an experiment, and it was impossible that any one could clearly determine how it would operate or how terminate. As soon, however, as it was brought into practical operation its defects became most glaring. It was found to be loose and unguarded, opening the door by which fraud and injustice might be perpetrated on the State with the greatest facility.

The last General Assembly, seeing its operation, attempted to remedy its defects; and I am happy to believe much good resulted from their revision of the law, and much of the treasure of the State saved from an unprofitable investment.

It is believed that our system of Internal Improvement is still defective; and is, doubtless, susceptible of many valuable improvements.

And in order that its operation may be fully understood and its defects remedied, it is recommended that the Assembly will require each company to furnish a full exposition of their operations and condition at an early day.

One of the greatest defects in this system, is to be found in the indiscriminate manner in which the appropriations have been made, in many cases embracing objects of minor importance, that can yield but little if any profit to the State. Whilst this indiscriminate and unprofitable application of the public moneys is to be regretted, still, if the engagements of the individual stockholders have been complied with in good faith, according to the provisions of their charters or contracts, it is the duty of the State to comply with all her engagements in like good faith. On an examination of the condition of the various works that are now being constructed, it may be found that some of them will require additional assistance to secure their completion. And although I should regret to see the system extended beyond the limits prescribed by the law of 1837, still the interest of the State, and sound policy (if such cases shall be found to exist) would justify such additional appropriation as may be required for their early completion. By the law of 1837 it is provided, that the appropriations on behalf of the State shall not exceed four millions, to be divided in just proportions between the three great divisions of the State. The sum of one million four hundred thousand dollars to East Tennessee, one million six hundred thousand dollars to Middle Tennessee, and one million to the Western division of the State. By reference to the subscriptions made on behalf of the State, it appears that the sum of one million three hundred thousand has been subscribed to works in East Tennessee; one million three hundred and sixty-seven thousand one hundred and sixty-six to Middle Tennessee; and three hundred and thirty-nine thousand five hundred to the Western district.

It is manifest that the General Assembly that passed this law, contemplated an equal division of the appropriation between the three divisions of the State, according to their population.

The last General Assembly having witnessed the defects of the law determined to arrest the further subscriptions on the part of the State, and directed the Governor to subscribe to no new works.

Justice requires that there shall be as equal a division of the benefits resulting from the appropriation to the three great divisions of the State as practicable. The appropriation to all the works of improvement are made in bonds drawn on the faith and credit of the State; creating a general and equal liability on each individual citizen of the State. It is, therefore, proper that the benefits should be made as general and equal as possible; and as it is impossible to confer on each individual an equal participation in the benefits resulting from this general liability, we should approximate as near to it as we can, and at least make the division

equal between the three great divisions of the State. If the General Assembly shall determine that the subscription on behalf of the State shall extend to the limit fixed by the law of 1837—which is four millions—it will be proper that they should select such objects as may be of general benefit, and not suffer the public funds to be lavished on minor or unimportant works. Among the numerous works to which the State has subscribed, the sum of \$650,000 was subscribed to the Charleston and Cincinnati Railroad Company. It is believed that this enterprise will be abandoned, and the charter forfeited. In the event of this occurrence, the State subscription will revert to the State, and then it will be the duty of the Legislature to determine what disposition shall be made of this fund. That a highly useful and profitable investment might be made of them in the eastern division of the State, will not be doubted by those at all acquainted with the peculiar condition of that portion of the State.

A portion of this sum might be profitably employed in removing the obstructions in the navigable streams. There are other portions of the country susceptible of great improvement by the construction of macadamized roads. And it may be necessary and proper to appropriate a portion of this or some other fund to the completion of such works as are in progress of construction.

#### *Vacant and unappropriated lands.*

By a law passed at the last regular session of Congress, Tennessee is made the agent of the Government of the United States, and invested with the power to sell and dispose of the vacant and unappropriated lands within the limits of this State, lying south and west of the Congressional Reservation line. This is a subject of interest to the State generally, and particularly to that portion of our fellow citizens who reside within the limits of that portion of the State embraced in the law. It is matter of mutual gratulation that this vexed question has been settled in a manner that will secure to a large and respectable portion of our citizens their homes and titles to their lands.

It is hoped that the Legislature will yield a ready assent to, and compliance with, the provisions of the law. Should this be your determination it will be proper that you take such action on this subject as will enable you to comply with the requirements of the law. It is recommended that you adopt such policy as will afford the greatest facilities to those interested in securing their titles, as far at least as may be compatible with the public interest and a faithful compliance with the provisions of the law.

In making this, my first communication to the General Assembly, it is cause of no ordinary gratification to me to be permitted to present to your consideration my convictions of the policy proper to be pursued in disposing of the moneys that may arise from the sale of the public lands, and which Tennessee will be entitled to receive. Congress, at its late extra session, passed a law providing for the distribution of the proceeds of the public lands among the States according to their population.

It is not necessary that I should trespass on your attention by an argument to prove the justice or wisdom of this policy, both of which, I doubt not, will be fully demonstrated by its effects.

#### *Disposition of the moneys under this law.*

The question that more immediately demands your most serious consideration is, what disposition shall be made of the moneys that Tennessee will be entitled to receive under the provisions of this law? By the Constitution of our State, the funds accruing to the State from this source have been set apart to specified purposes. It is provided that should a division of the public land, or the moneys arising from the sales be made among the States, that the portion coming to this State shall be devoted to purposes of education and internal improvement, and shall never be applied to any other purpose.

The constitution is silent as to the mode of dividing this fund between the two objects specified, whether it shall be equal or unequal. But inasmuch as there is no specific injunction, it is reasonable to infer that they intended it to be equal.

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I cannot urge too strongly on your consideration the propriety of setting apart at least one half of the moneys that may be received from this source as a fund that may be applied to the redemption of the Internal Improvement bonds of the State at their maturity. If this disposition be made it would doubtless have a fine effect on the credit of our securities, and tend greatly to enhance their value.

The liabilities of our State are less than any State in the Union of her resources, and still her securities are at a ruinous discount. If a permanent provision can be made for the liquidation of these liabilities at their maturity, it would inspire capitalists with confidence in their solvency, and contribute greatly to increase them in value. If this policy should be adopted the moneys should be deposited with the Bank of Tennessee, to be loaned and accounted for as other funds of the State. This would add greatly to the available means of this institution and enable her to afford increased facilities to our citizens.

Virtue and intelligence being essential to the perpetuation of our free institutions, it is the duty of those that have been constituted the guardians of the public interest to cherish and protect them by all the means in their control. There is no object more worthy the attention of a patriotic and enlightened people than to extend the fostering hand of protection to virtue, and to aid in the diffusion of general intelligence among the great body of the people. Without the protecting care of government to these invaluable objects, no nation or people can long enjoy the blessings of civil and religious liberty.

#### *Education.*

The authors of our State Constitution, appreciating the great importance of education, have wisely provided in that instrument that the common school moneys belonging to the State shall be a perpetual fund, the principal of which shall never be diminished by legislative appropriation; and the interest on this fund is wisely dedicated to the support and encouragement of a system of common schools throughout the State.

Our present system is doubtless very imperfect, but notwithstanding its many defects and seeming insufficiency, it has had a salutary influence in the country. And by the continuation of a liberal and enlightened policy, it is destined at no very distant day to reflect honor on the State; shedding its benign influences on the children of ignorance and misfortune.

The necessity and importance of a careful revision of this law is demanded by the best interests of the State, and the highest considerations of patriotism and philanthropy.

The law is vague, indefinite and complicated, so much so as to render its faithful execution in many instances difficult and unattainable. The execution of this law is necessarily confided to many hands, and in order to secure its faithful administration it is important that the entire system should be revised and made as short, plain and concise as practicable. A portion of the moneys arising from the sale of the public lands, is by the constitution directed to be applied to education. Whether this fund shall be applied exclusively to common schools, or whether a portion of it shall be appropriated to colleges and academies is a question for your consideration.

The utility and necessity of higher institutions of learning than that contemplated by the common school system is evident. These higher institutions are justly entitled to public patronage, and should receive the fostering care of government. But remembering the insufficiency of the common school fund to afford facilities to the great number of indigent children in the country to acquire the mere rudiments of an education, and regarding this as a common fund, in the benefits of which all should participate as far as possible, I am constrained to recommend to your consideration the propriety of making it a part of the common school fund, thereby producing the greatest amount of good to the greatest number.

#### *Penitentiary.*

The General Assembly in 1829, for the better protection



of society, the suppression of vice and punishment of crime, established a Penitentiary, substituting confinement and labor instead of the more severe and less humane process of capital punishments. This change in our penal code is founded in principles of humanity, and was dictated by motives worthy a Christian people.

The objects sought to be accomplished by the infliction of punishment on the guilty are to protect society, to secure respect for, and enforce obedience to the laws, and as far as may be to reform the criminal.

How far this mode secures the ends contemplated by its benevolent projectors is a question of some doubt, producing some conflict of opinion in the public mind. This system has been adopted by the State at great expense, and although its effects may not have been as salutary as was anticipated by some of its warmest advocates, still it is questionable whether any other substitute would be more efficient or more acceptable to the country. It is sometimes urged that this institution should be discontinued on the alleged ground that it operates oppressively on a highly respectable portion of our fellow-citizens, by employing the convicts in the various mechanic arts. How far this complaint may be founded in justice or prejudice, I have no correct means of determining. It is certainly true that it produces competition in some branches of mechanism, and it is equally true that the institution is enabled to sell its products at low and reduced prices. It cannot be the true policy of any government to enter into a competition of labor with its citizens. Wisdom and justice require that equal protection should be afforded to all, encouraging the various branches of industry, by securing (as far as it has the ability) to them their just reward.

The propriety of giving such direction to the labor of the convicts in the penitentiary as will least conflict with the labor and pursuits of our citizens, and at the same time secure the interest of the State, is respectfully submitted.

#### *Lunatic Asylum.*

Among the various subjects which have from time to time engaged the attention of your predecessors, the establishment of a Lunatic Asylum is one that reflects the highest honor on our State. This establishment has heretofore received the liberal patronage of the State; large sums of money have at different times been appropriated to this benevolent object, and although it is in partial operation, it will require an additional appropriation to complete the buildings, and make such other improvements as are deemed indispensable to enable it to answer the important purposes for which it was erected.

It is unnecessary to adduce arguments to prove the importance of this institution, or to recommend it to the patronage of the Representatives of an enlightened and benevolent constituency.

Other States with a liberality and public spirit worthy of admiration, have at great expense established similar institutions; many of which are in successful operation, reflecting imperishable honor on their projectors. Tennessee having embarked in the same benevolent cause, the cause of justice, humanity and philanthropy, will not abandon it, or withhold from it such patronage as will make it indeed an Asylum for that unfortunate class of our citizens on whom the hand of misfortune has fallen with its heaviest weight.

#### *Manufactures, Agriculture, &c.*

To advance the prosperity and happiness of our common country is the highest duty, as well as the most ardent desire of every patriot. It is for this purpose you have been chosen the guardians of the public interest; it is for this purpose that you are assembled on this occasion; it is to you that your constituents look for the protection of their rights and the advancement of their interest.

The means of effecting these important ends so far as legislative action can secure them, has been confided to your hands, and will doubtless demand your most deliberate consideration.

The wealth and prosperity of every community depend in a pre-eminent degree upon the amount of the production,

labor or industry of its citizens. Ours is chiefly a producing State, possessing at the same time all the facilities for manufactures, and the successful prosecution of this department of labor must be regarded as the basis of our greatest prosperity.

The manufacturing interest of the State has heretofore received some countenance and encouragement, but not in a ratio corresponding with its great importance. Whilst this important branch of labor, so essential to our prosperity, has received some legislative protection, it is matter of deep regret and astonishment that the agricultural interest of the State seems to have been wholly forgotten and neglected.

It has been justly remarked, that he who contributed to the agricultural improvement of his country was a greater benefactor than a hero of a thousand battles. The Legislature that shall adopt a liberal and efficient system of encouragement to the agricultural and manufacturing interests of the State, will have effected more for the honor and permanent prosperity of the country than the establishment of a thousand banks.

Many of our sister States, appreciating the great importance of this subject, have led the way in this enterprise, and the success which has attended their efforts has surpassed their most sanguine expectations.

We are in the habit of purchasing from abroad annually a large amount of goods, manufactured of cotton, wool and silk, all of which are procured at high and exorbitant prices. Enjoying, as we do, every facility for the manufacture of these articles at home, it cannot be doubted that they can be produced at prices greatly below what they now cost us. It is matter of astonishment that we are not only in the habit of looking abroad for the supply of these articles of comfort and fancy, but we are dependent on our sister States for some of the merest necessities of life, such as enter into the consumption of every family. Thousands of dollars are employed annually in the purchase of the single article of flour, which is produced by our sister States and consumed by our citizens.

Possessing a climate and soil adapted to the successful cultivation of wheat, it is confidently believed that this drain on our resources might be remedied by disseminating the necessary information on this subject. Every dollar employed in purchasing articles from abroad for home consumption, is so much money drawn from our circulating medium, and in that proportion diminishes the wealth and prosperity of the country.

It is doubtless within the competency of our Legislature to remedy these evils to a great extent by disseminating proper information on these subjects, and affording the necessary inducements to our citizens to correct this error. In view of the great and paramount importance of this subject to the interest of the great body of our common constituents, it is submitted with all its high demands to the consideration of you, their agents and Representatives.

#### *Census of Voters.*

Provision being made by the last General Assembly for taking the census of qualified voters in the State, preparatory to the re-organization of the districts, furnishing to each county its just and equal representation in our legislative council. Presuming that the provision of the law on this subject has been complied with on the part of those charged with its execution, your attention will be directed to this subject.

Each returning election in our State demonstrates the necessity of defining, by legislative enactment, what are the qualifications necessary to entitle a citizen to vote in our elections. Different constructions of the Constitution on this subject obtain in different portions of the State, and a law declaratory on this subject would settle this difficulty, and make the rule by which the qualification of voters should be determined, equal and uniform throughout the State.

JAMES C. JONES.

EXECUTIVE DEPARTMENT,  
Nashville, October 19, 1841. }

[Report on the Schuylkill Bank.

At a meeting of the Stockholders of the Schuylkill Bank, held November 2, 1841, Dr. J. Redman Cox, was chosen Chairman, and Samuel Allen appointed Secretary.

The Report of the Directors, for the last year, was then read by the President, and on motion, accepted. It was then moved and seconded, that the Report of the Conference, which took place between the Committee of the Kentucky Bank and Schuylkill Bank, should be read—adopted.

It was then moved and seconded that the report of said Committee lie on the table—adopted.

The following resolutions were then offered and adopted.

Resolved, That the confidence of the Stockholders is undiminished in the integrity, faithfulness and zeal of the present Directors, and they tender their thanks to them for their efficient services during the past year.

Resolved, That the meeting appoint five persons to form a ticket to be supported at the next election for Directors.

The following gentlemen were appointed, Charles Stokes, Dr. Mathews, William Patterson, Robert Burkhart and David Kirkpatrick.

Resolved, That the Report of the Directors, be published in two papers.

Resolved, That the meeting now adjourn.

J. REDMAN COX, Chairman.

SAMUEL ALLEN, Secretary.

Philadelphia, November 2, 1841.

REPORT.

The Directors of the Schuylkill Bank in compliance with the requisitions of the Charter, beg leave to submit to the consideration of the Stockholders, their annual report of the condition of its affairs.

The estimate of the value of its various assets has been prepared with care, and the result may be relied on as being nearly correct, as under all circumstances it could be arrived at.

Statement of the Branch at Port Carbon.

Bills discounted—amount supposed to be good	\$114,901 93
Real Estate, Mortgages and Judgments.....	55,510 72
Over drafts—amount considered good.....	3,430 26
	<hr/>
	\$173,842 91
From which deduct amount subject to checks of depositors.....	1,078 15
	<hr/>
	\$172,764 76

Statement of the Schuylkill Bank in the City of Philadelphia.

Bills discounted—amount supposed to be good	\$160,656 57
Real Estate, Mortgages and Ground Rents ..	97,531 54
Over drafts—amount considered good.....	19,692 85
Stock, country notes and claims, valued at...	12,600 00
Cash—amount of funds on hand..	21,440 49
Part of which consists of Mississippi Bank notes and certificates of deposit.	
Their depreciation is probably ....	2,312 49
Amount of available funds.....	19,128 00
	<hr/>
	\$339,603 96

Brought over.....	\$309,608 96
From which deduct the amount of liabilities— viz: country banks, depositors, dividends and circulation.....	21,666 89
	<hr/>
	\$287,942 07
Add nett amount of assets of the Branch at Port Carbon.....	172,764 76
	<hr/>
	\$460,706 83

In the statement which was presented to the Stockholders at their last annual meeting, (and which was subsequently carefully examined and approved of by a committee of your own body) the value of the then remaining assets of the Bank, deducting liabilities, was estimated at 480,804 dollars —on comparing it with the statement just read, it will be perceived that but little diminution has taken place in the value of the property, and hopes are entertained that with proper care and management, the full amount of the present estimate may be realized.

From the 3d of November, the date of last report, to the 1st inst. the receipts of the Bank have been .....	\$65,230 22
And the disbursements during the same period	52,618 46
	<hr/>

Making a difference in favor of receipts of ...	\$12,611 76
To which if is added, the cash on hand on the 3d of November, 1840.....	8,828 73
	<hr/>

You have the sum of..... \$21,440 49 the amount of funds now in vaults of the bank. Of this sum, about 15,000 dollars is shortly to be paid out in satisfaction of a judgment against the bank, obtained in March, 1840, by the assignees of Laussat, for a deposit of upwards of \$25,000, made prior to the explosion, and which, when subsequently demanded, the bank was unable to meet. This sum, which forms the principal item in the amount due depositors, the Directors are prepared to pay off, and which will leave but a small balance on hand to meet remaining liabilities.

The Directors have never at any time had on hand since the suspension in 1839, any large amount of money. The cash in bank on the night of the 17th of December, 1839, as counted by Directors, was but \$9,993 19 in current notes and specie; and although since that period they have received on account of various liabilities, the sum of \$114,616 79, in other than its own notes, they have made it a rule to suffer no accumulation of money, but to satisfy all just demands against the institution as speedily as their means would justify.

The present liabilities of the bank, agreeably to foregoing statement, are now reduced to about \$22,700, so that the institution will soon be entirely out of debt, and a large amount of property must necessarily accumulate, to be distributed eventually amongst the stockholders, or employed in such other manner as may hereafter be determined upon.

Since the resumption of specie payments in January last, the Directors have regularly met all demands against the bank, either in specie or current funds, as required. The amount of its notes redeemed since that period is \$10,595, to which, if are added \$192,136 of Schuylkill notes received in payment of debts due the bank up to that time, from 17th of December, 1839, (the period of suspension,) you have the total sum received, of \$202,731, or one hundred and seven thousand eight hundred and sixty dollars over and above the circulation supposed to be out, agreeably to the books of the bank.

On the night of the 7th October, 1840, a general destruction, by burning all the notes then on hand, took place; a statement of which was submitted in last report; the notes received since that time, amounting to \$19,760 of various denominations were destroyed in like manner, on the 20th and 30th ultimo. There is therefore reason to suppose that the notes yet afloat are few in number, and must soon be entirely withdrawn from circulation.

The business at the Branch at Port Carbon has been very satisfactorily conducted during the last year; and under the management of the efficient officers who have now the

charge of its affairs, its debts are being collected and secured as rapidly as possible, and the general interest of the bank closely protected.

A committee of your Directors visited Port Carbon during the last summer, and spent several days in investigating the condition of the Branch, and in examining the various properties in which the bank is interested. Their report on this occasion gives in detail much information in relation to the principal debtors and the situation and value of the several coal lands belonging to the bank, and in which the bank is interested, and forms the basis of the foregoing valuation of the assets of the Branch.

Properly to understand and unravel the complicated transactions of an institution whose operations were widely extended and of many years duration, the Directors have bestowed much time and attention. The frauds committed by the late cashier H. J. Levis on the bank, appear to have commenced previous to 1838, and so ingeniously contrived and effected were many of them; that it has only been by the most thorough research and careful examination of documents and papers long since filed away, that they have been brought to light.

These frauds have been the subject of much speculation and remark, and the position which the Directors have occupied in consequence in the eyes of the public, has been one far from enviable. With the exception of a few of the Board who came into the direction about the time of the bank's explosion, and who consequently knew nothing of the situation of its affairs, the majority of the members have taken their seats since that time, yet in sustaining the fallen fortunes of an abused institution, they have become in a measure identified with it, and the odium that attaches to fraud and dishonesty has been with unsparing hand lavished upon them, through the medium of the public press both in this and a neighboring city; conscious, however, of the rectitude of their conduct, the shafts of the slanderer, *although annoying*, have fallen harmlessly at their feet, and the Directors have persevered in the straight path of their duty, amply compensated in the belief that their labors have been in a measure instrumental in saving from the wreck much valuable property, which must have otherwise been greatly jeopardized, if not lost, to the stockholders.

It is generally known that an interview was had during the last summer between a committee of this bank and one from the Bank of Kentucky, in relation to the spurious issue of Kentucky Bank Stock, by its late agent Hosea J. Levis. The object of this interview was, an attempt to arrange, or compromise, the pending difficulty between the banks, which, after some negotiation, failed. The Committee of the Bank of Kentucky on their return home, prepared a report to their stockholders of this conference, which has since been published to the world. This report, we find to be incorrect in many respects; it misrepresents the views and motives of the Committee of the Schuylkill Bank, who were anxious for a settlement, and who manifested every disposition to render that information in relation to the affairs of the bank, which might conduce to so desirable a result. The report of the Committee to the Board, of that conference and the correspondence that took place on the occasion, the Directors are willing to submit to the stockholders if required.

It will be seen from these, that the object of the Kentucky Committee was not what it professed to be a compromise, but to gain information of the affairs of your bank. *Information* which might be of service to them in enabling them to decide on the course which would be most advisable for them hereafter to pursue. They came here without authority of the holders of either the genuine or spurious stock, and without having recognized or intending to recognize the spurious stock and without the assurance of an arrangement, even if the Schuylkill Bank should exhibit to them all the books, documents and information which they demanded.

Their object therefore, was, evidently, information to supply them with materials for a report to their own stockholders, which was to be sent forth amongst the holders of the spurious stock, to inflame their minds and excite their indignation against the Directors of the Schuylkill Bank, and induce them to look for indemnity for their losses, to this Insti-

tution, rather than to their own. The question at issue between the Schuylkill and Kentucky banks, is a question of law, the merits of which, are very imperfectly understood. Years might elapse before it could be settled. The Directors therefore, deeply feeling their responsibility as guardians of the interests of numerous suffering individuals, amongst whom are not a few destitute widows and orphans, for the sake of peace, and without recognizing the right of the Bank of Kentucky to make *any* demand upon the Schuylkill Bank, would recommend, if practicable an amicable arrangement or compromise with the Bank of Kentucky, whenever, by an assumption of the spurious stock of that Bank, or otherwise, she places herself in a position to negotiate; in that event, any proposals for effecting so desirable an object, should *only* be acceded to, with the sanction and approbation of the stockholders of this Institution.

JOHN P. WETHERILL, President.

Philadelphia, Nov. 2, 1841.

#### Review of the Weather etc., for September, 1841.

It is very uncommon to have so much easterly weather as we experienced during the month just closed. Twenty days in succession, the wind was from the eastward; but on no day was it boisterous, or any thing like an equinoctial storm. It is true, that it rained moderately on the 17th. But we are accustomed to look for something like a real equinoctial blow, accompanied by torrents of rain about the time the sun crosses the line. But these old acquaintances spent all their force, and divested themselves of their heavy freight before reaching the port of Philadelphia. Almost the whole month was mild and pleasant, and not the slightest appearance of frost has been experienced this season. Indeed, in no instance has the mercury sunk lower than 52, and we do not look for frost unless it sinks below 40. It is a very rare occurrence that frost keeps off until October. While we have been disappointed in a call from our semi-annual visitor this season, our brethren in the south have complained bitterly (and not without cause) that his visit to them has been one of sore visitation! a brief account of which we give as follows:

A Charleston paper of Saturday, the 18th, says, "the wind blew violently, and the rain fell in torrents on the 16th, and did great damage to railroads, canals, rice and cotton crops," &c. The Augusta paper of same date says, "that the storm of wind and rain of the 16th was tremendous.—The rain fell in such torrents during the night, as to cause a rise in the river of twenty feet in eight hours. The rice and cotton crops have suffered materially." A letter from Savannah says, "the present rise in the river is twenty feet.—Hamburg looks like a doomed city; the lower part of the city is inundated. We fear that we shall hear of serious damage up the country, as the cars due from the west have not yet arrived." A letter from Hamburg of the 18th says, "since yesterday, our river has overflowed the lower part of the town, in consequence of the violent rain storm. We are compelled to make use of boats to get out of town. Almost every one has had his goods removed. We hear the storm has been still more severe south of us. Nearly all the river plantations near Darien are overflowed, and much injury is sustained." Later accounts say, "as we feared, the effects of the late freshet in the Savannah river, have been very disastrous, and every day only develops additional losses."

The Cincinnati Gazette of the 22d says, "after many weeks of drought, we have had a fine fall of rain, and it looks as if it would continue."

A New Orleans paper of the 17th says, "the weather during the last twenty-four hours, has become very boisterous, and indicates an equinoctial gale. The number of interments yesterday were fifty-two, of which thirty-eight were yellow fever. The disease shows no diminution whatever, and the mortality is awfully frightful. Several vessels are hourly expected, filled with passengers, which may add fuel to the flames. Rarely have we seen so much gloom manifested in the countenances of our citizens, as at the present time. On the 10th, the Merchant's Exchange was struck by lightning,

and damaged to the amount of about five thousand dollars. The shock was so heavy as to prostrate several persons in the vicinity."

A late Jamaica paper says, "the yellow fever is still raging here with great mortality."

A paper printed at Cologne, in Germany, in August last, says, "in two hundred and four days which have elapsed of the present year, 1841, there have been ninety-two days of rain."

And now to return from our digression. The past month, taken in the aggregate, may be recorded as having been very mild and pleasant in this latitude at least. The first six days were nearly as warm as mid-summer. At mid-day, the mercury ranged from 80 to 87; after which the wind changed from west to east, and the atmosphere became a little cooler, but not uncomfortably so; as the mercury did not sink below 70 at mid day, only in two instances, (on the 17th and 30th) during the whole month, although the wind continued in the eastern board for twenty days in succession. There was a thunder shower, with vivid lightning on the 2d, and some rain also fell on the 4th, 13th, 17th, 23d, 24th, 25th, 28th and 29th. The quantity which fell during the month, was about two inches. That which fell during the corresponding month of last year, was two and a half inches.

The average temperature of the whole month just closed, was 67—viz: at sunrise, 62; at two o'clock 75½; and at 10 P. M. 65½. That of the corresponding month of last year, was 67.

In New England, there are forty thousand females (according to the late census) employed in factories and manufactories of various kinds; and the portion of them in Massachusetts alone, it is computed, annually earn four millions of dollars.

C. P.

Philadelphia, Oct. 1, 1841.

U. S. Gaz.

#### Review of the Weather, etc., for October, 1841.

In looking back upon our record of the weather for several years, we find no month of October in which the average of the cold was so low by four degrees as the one just closed—the average of the whole month being 50, viz: at sunrise, 44; 2 o'clock, 53; and at 10 P. M. 48. Whereas, the average of October, 1840, was 54, and that of 1839, was 56.—The other months of October, from 1830 to 1839, were from 54 to 56.

The quantity of rain which fell during the month, was very small, being only 5¼ inches. That which fell during the corresponding month of last year, was within a fraction of six inches.

At sunrise on the 26th, the mercury was down to 28, which is four degrees below the freezing point, and ice was from an eighth to a quarter of an inch thick. On the mornings of the 5th, 6th, 7th, 14th, 15th, 16th, 17th, 18th, 19th, 22d, 23d, 24th, 25th, 26th and 27th, there was slight frost in the vicinity of the city. N. and N. W. winds prevailed a greater part of the month, and there was but very little falling weather. It was windy and cloudy, cold and uncomfortable, for many days in succession. Indeed, it was more like a November than an October month, until the 27th, when the wind southered, and the atmosphere became mild and soft, and so continued until the month closed.

On the 3d of the month, there was a violent N. E. rain storm here; but farther N. and E., and upon the Ocean, the storm was terrible and very disastrous, doing a vast amount of damage to shipping, &c. A person at Salem, (Mass.) kept a record of the number of vessels which came to his knowledge, that were either lost or experienced damage in the storm, and they amounted to one hundred and ninety; and it has been estimated that property in vessels, goods, &c. was destroyed to the amount of two millions of dollars.

The newspapers published immediately after the storm, stated that in Brunswick, (N. J.) the "storm was furious and the cold intense; the rain fell in torrents, mingled with hail and snow." In the city of New York, the rain poured and the wind blew a gale all day and night, carrying awnings and branches of trees before it like feathers, and doing considerable damage to shipping, &c. It was very similar

in New Haven, and farther north and east, where it also snowed and hailed, and the wind blew a gale. The Green Mountains of Vermont, and the White Hills of New Hampshire, and the Catskill and Highlands in New York, were all covered with snow on the morning of the 4th, which is very uncommon, indeed, so early in the season. From thirty to forty vessels, principally fishing schooners, owned in Gloucester and Marblehead, were entirely lost, with a part of their crews. Among the vessels particularly mentioned, was the schooner Forest, with all her crew, by which thirty-one children are left fatherless. There were also between forty and fifty vessels lost on Cape Cod, and fifty dead bodies drifted on shore. The crews of those vessels must have numbered as many as three hundred persons at least. The Boston Patriot of the 8th, says: "Reports of disasters at sea, by the storm and gale of the 3d, still continue to reach us." A Quebec paper of October 4, says "that the Amanda, Captain Davis, from Limerick, (Ireland) with passengers, was lost on Metis Point, and forty-one persons perished. It was only in May last that the Minstrel, from Limerick, was lost near the same place, and one hundred and thirty-seven passengers, and eleven of the crew perished."

On the 8th of October, there was a severe hail storm at Utica, (N. Y.) which destroyed much glass, and did other damage. The hail was as large as walnuts, and laid upon the ground in drifts the next morning. On the 24th, snow fell in Geneva, (N. Y.) to the depth of four inches. It also fell on the same day at Pittsburg, and in various other places both in the interior of Pennsylvania and in New York, from two to four inches. On the 25th there was a heavy fall of snow at Montreal; but the newspaper does not say how heavy or how deep.

In August last, a dreadful storm was experienced at Moscow, by which two hundred and fifty houses were unroofed, and much other damage sustained.

Philadelphia, Nov. 1, 1841.

C. P.

U. S. Gaz.

#### METEOROLOGICAL SUMMARY,

For October, 1841.

Mean temperature,	49.31°
" dew point,	27.26°
" pressure,	30.12 inches.
Maximum temperature,	65°
Minimum " on the 26th,	27°
Range,	38°
Greatest diurnal variation on 29th,	28°
Least " " on 3d,	4°
Mean of diurnal variations,	15.25°
Warmest day the 12th,	61°
Coldest " 25th,	37.50°
Maximum of dew point on 31st,	57°
Minimum " 25th,	13°
Range,	44°
Maximum of barometer on 28th,	30.54 inches.
Minimum " 20th,	29.60 "
Range,	9.4 "
Clear days,	19.25
Cloudy "	9
Rain,	1.75
Fog,	1
Number of days on which rain fell,	8
Winds from W. to N.	12½ days.
" N. to E.	8 "
" E. to S.	1 "
" S. to W.	9½ "
Amount of rain,	3.19 inches.
Pennsylvania Hospital, November 1st, 1841.	

#### SILK.

We have been favored by a friend with several beautiful specimens of silk, produced, spun and dyed, at the plantation of Mr. George McMichael, in Orangeburgh District.—Such a fine sample speaks favorably of the capacity of South Carolina to sustain the silk culture.—*Char. Courier.*



Bank Dividends

Mr. Editor—I have prepared the four following Tables, in which are contained the names of the 25 banks now in declaring dividends, and the rate and amount of dividends for each of the 10 years, from 1832 to 1841, or since they cent. per annum; the second, those whose rate has averaged 6 per cent.; the third, those whose rate has averaged

Names of Banks.	Incorporated.	Capital.	1832.				
			Dividend. April 2.	Capital.	DIVIDENDS.		
					Oct. 1.	Total.	Amount.
Atlantic.....	1828	\$500,000	3 pr ct.	\$500,000	3 pr ct.	6 per cent.	\$30,000
Atlas .....	1833	....	....	....	....	....	....
City .....	1822	1,000,000	3 "	1,000,000	3 "	6 "	60,000
Granite .....	1832	....	....	....	....	....	....
Hamilton .....	1828	....	....	500,000	2½ "	2½ "	12,500
Market.....	1832	....	....	....	....	....	....
Massachusetts.....	1784	800,000	2.40 "	800,000	2½ "	4.90 "	39,200
North.....	1825	750,000	3¼ "	750,000	3 "	6¼ "	46,875
Shawmut .....	1836	....	....	....	....	....	....
South.....	1833	....	....	....	....	....	....
State .....	1811	1,800,000	2¾ "	1,800,000	2¾ "	5½ "	99,000
Traders' .....	1831	500,000	4½ "	500,000	3 "	7½ "	37,500
Tremont.....	1814	500,000	3 "	500,000	2½ "	5½ "	27,500
Union .....	1792	800,000	2½ "	800,000	2½ "	5 "	40,000
Washington.....	1825	500,000	2¾ "	500,000	2½ "	5¼ "	26,250
Total.....	....	\$7,150,000	....	\$7,650,000	Average	5.65 36-37	\$418,825

Table H.

Names of Banks.	1835.					1836.				
	Capital.	DIVIDENDS.				Capital.	DIVIDENDS.			
		April 6.	Oct. 5.	Total.	Amount.		April 4.	Oct. 3.	Total.	Amount.
Atlantic .....	\$500,000	3 pr. ct.	3 pr. ct.	6 per cent.	\$30,000	\$500,000	3 pr. ct.	3 pr. ct.	6 per cent.	\$30,000
Atlas.....	500,000	4 "	3 "	7 "	35,000	500,000	3 "	3 "	6 "	30,000
City .....	1,000,000	3 "	3½ "	6½ "	65,000	1,000,000	3 "	3½ "	6½ "	65,000
Granite.....	500,000	....	3 "	3 "	15,000	500,000	3 "	3 "	6 "	30,000
Hamilton.....	500,000	3 "	3 "	6 "	30,000	500,000	3 "	3 "	6 "	30,000
Market.....	500,000	3 "	3 "	6 "	30,000	1,000,000	3 "	3 "	6 "	45,000
Massachusetts'.	800,000	2½ "	2½ "	5 "	40,000	800,000	2½ "	....	2½ "	20,000
North.....	750,000	3 "	3 "	6 "	45,000	750,000	3 "	3 "	6 "	45,000
Shawmut.....	....	....	....	....	....	....	....	....	....	....
South.....	500,000	2½ "	....	2½ "	12,500	500,000	3 "	3 "	6 "	30,000
State.....	1,800,000	2½ "	2¾ "	5½ "	94,500	1,800,000	2½ "	7½ "	10 "	180,000
Traders'.....	500,000	3 "	3 "	6 "	30,000	500,000	3 "	3 "	6 "	30,000
Tremont .....	500,000	3 "	3 "	6 "	30,000	500,000	3 "	3 "	6 "	30,000
Union.....	800,000	2½ "	3 "	5½ "	44,000	800,000	2½ "	3 "	5½ "	44,000
Washington ..	500,000	3 "	3 "	6 "	30,000	500,000	2¾ "	3 "	5¾ "	28,750
Total .....	9,650,000	....	Av.	5.50 50-193	\$531,000	10,150,000	....	Av.	6.44 19-99	\$637,750

Table I.

Names of Banks.	1839.					1840.				
	Capital.	DIVIDENDS.				Capital.	DIVIDENDS.			
		April 1.	Oct. 7.	Total.	Amount.		April 6.	Oct. 5.	Total.	Amount.
Atlantic .....	\$500,000	3 pr. ct.	3 pr. ct.	6 per cent.	\$30,000	....	2 pr. ct.	2 per cent.	\$10,000	
Atlas.....	500,000	....	....	....	....	....	2 "	2 "	10,000	
City .....	1,000,000	3 "	3 "	6 "	60,000	3 pr. ct.	3 "	6 "	60,000	
Granite.....	500,000	3 "	3 "	6 "	30,000	2½ "	2½ "	5 "	25,000	
Hamilton.....	500,000	3 "	3 "	6 "	30,000	3 "	3 "	6 "	30,000	
Market .....	800,000	2¾ "	2 "	4¾ "	43,500	....	....	....	....	
Massachusetts.....	800,000	2½ "	3 "	5½ "	44,000	2½ "	2½ "	5 "	40,000	
North.....	750,000	3 "	3 "	6 "	45,000	....	3 "	3 "	22,500	
Shawmut.....	500,000	3 "	3 "	6 "	30,000	....	3 "	3 "	15,000	
South.....	500,000	2½ "	3 "	5½ "	27,500	3 "	2 "	5 "	25,000	
State .....	1,800,000	2¾ "	3 "	5¾ "	103,500	2¾ "	3 "	5¾ "	103,500	
Traders'.....	500,000	3 "	3 "	6 "	30,000	3 "	3 "	6 "	30,000	
Tremont.....	500,000	3 "	3 "	6 "	30,000	3 "	3 "	6 "	30,000	
Union.....	800,000	3 "	3 "	6 "	48,000	3 "	3 "	6 "	48,000	
Washington .....	500,000	3 "	3 "	6 "	30,000	3 "	2¾ "	5¾ "	28,750	
Total .....	\$10,450,000	....	Av.	5.51 39-211	\$581,500	....	Av.	4.57 37-209	\$477,750	

in Boston.

operation in Boston, and the years in which they were incorporated, together with the amount of capital at the time of have been incorporated. The first table includes those banks, whose rate of dividends have averaged less than 6 per more than 6 per cent.; and the fourth, a recapitulation.

Names of Banks.	1833.						1834.					
	Capital.	DIVIDENDS.				Amount.	Capital.	DIVIDENDS.				Amount.
		Ap. 2.	Oct. 7.	Total.				April 7.	Oct. 6.	Total.		
Atlantic .....	\$500,000	3 pr. ct.	3 pr. ct.	6	per cent.	\$30,000	500,000	3 pr. ct.	3 pr. ct.	6	per cent.	\$30,000
Atlas.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
City .....	1,000,000	3 "	3 "	6	"	60,000	1,000,000	3 "	3 "	6	"	60,000
Granite .....	.....	.....	.....	.....	.....	.....	500,000	3 "	1½ "	4½	"	22,500
Hamilton.....	500,000	3 "	3 "	6	"	30,000	500,000	3 "	3 "	6	"	30,000
Market.....	500,000	3 "	3½ "	6½	"	31,250	500,000	3 "	3 "	6	"	30,000
Massachusetts .	800,000	3 "	2½ "	5½	"	44,000	800,000	2½ "	2½ "	5	"	40,000
North.....	750,000	3¼ "	3¼ "	6½	"	48,750	750,000	3 "	.....	3	"	22,500
Shawmut.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
South.....	.....	.....	.....	.....	.....	.....	500,000	3 "	3 "	6	"	30,000
State.....	1,800,000	2¾ "	3 "	5¾	"	103,500	1,800,000	2½ "	3 "	5½	"	99,000
Traders'.....	500,000	3 "	3 "	6	"	30,000	500,000	3 "	3 "	6	"	30,000
Tremont .....	500,000	3 "	3 "	6	"	30,000	500,000	3 "	3 "	6	"	30,000
Union.....	800,000	2½ "	3 "	5½	"	44,000	800,000	3 "	2½ "	5½	"	44,000
Washington ..	500,000	2¾ "	2¾ "	5½	"	27,500	500,000	2¼ "	2 "	5	"	25,000
Total .....	8,150,000	....	Av.	5.87	119-163	\$479,000	\$9,150,000	....	Av.	5.38	146-183	\$493,000

Continued.

Names of Banks.	1837.						1838.					
	Capital.	DIVIDENDS.				Amount.	DIVIDENDS.				Amount.	
		April 3.	Oct. 2.	Total.			April 2.	Oct. 1.	Total.			
Atlantic .....	\$500,000	3 pr. ct.	3 pr. ct.	6 per cent.	\$30,000	....	3 pr. ct.	3 per cent.	\$15,000			
Atlas.....	500,000	....	....	....	....	....	....	....	....			
City .....	1,000,000	3½ "	3 "	6½ "	65,000	3 pr. ct.	3 "	6 "	60,000			
Granite.....	500,000	3 "	3 "	6 "	30,000	....	3½ "	3½ "	17,500			
Hamilton.....	500,000	3 "	3 "	6 "	30,000	3 "	3 "	6 "	30,000			
Market .....	1,000,000	3 "	3 "	6 "	60,000	....	3 "	3 "	30,000			
Massachusetts.....	800,000	3½ "	2½ "	6 "	48,000	2 "	2½ "	4½ "	36,000			
North.....	750,000	3 "	3 "	6 "	45,000	1½ "	2½ "	4 "	30,000			
Shawmut.....	500,000	3 "	2 "	5 "	25,000	2 "	3 "	5 "	25,000			
South.....	500,000	3 "	2½ "	5½ "	27,500	....	3 "	3 "	15,000			
State.....	1,800,000	2½ "	3 "	5½ "	99,000	2 "	3 "	5 "	90,000			
Traders'.....	500,000	3 "	3 "	6 "	30,000	3 "	3 "	6 "	30,000			
Tremont .....	500,000	3 "	2 "	5 "	25,000	3 "	3 "	6 "	30,000			
Union.....	800,000	3 "	2½ "	5½ "	44,000	2½ "	3 "	5½ "	44,000			
Washington .....	500,000	1½ "	2 "	3½ "	17,500	2 "	2½ "	4½ "	22,500			
Total .....	\$10,650,000	....	Av.	5.40 60-71	\$576,000	....	Av.	4.46 2-513	\$475,000			

Continued.

Names of Banks.	1841.						DIVIDENDS.			
	Capital.	DIVIDENDS.				Amount.	DIVIDENDS.			
		April 5.	Oct. 4.	Total.			1832.	1833.	1834.	1835.
Atlantic .....	\$500,000	3 pr. ct.	3 pr. ct.	6	per cent.	\$30,000	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.
Atlas.....	500,000	2½ "	2½ "	5	"	25,000	....	....	....	7 "
City .....	1,000,000	....	....	....	....	6 "	6 "	6 "	6 "	6½ "
Granite.....	500,000	3 "	3 "	6	"	30,000	....	....	4½ "	3 "
Hamilton .....	500,000	3 "	3 "	6	"	30,000	2½ "	6 "	6 "	6 "
Market .....	560,000	....	3½ "	3½	"	19,600	....	6¼ "	6 "	6 "
Massachusetts .....	800,000	3 "	3 "	6	"	48,000	4.90 "	5½ "	5 "	5 "
North .....	750,000	2½ "	2½ "	5	"	37,500	6¼ "	6½ "	3 "	6 "
Shawmut.....	500,000	3 "	3 "	6	"	30,000	....	....	....	....
South.....	500,000	2 "	2 "	4	"	20,000	....	....	6 "	2½ "
State.....	1,800,000	2¾ "	1 "	3¾	"	67,500	5½ "	5¾ "	5½ "	5¼ "
Traders'.....	500,000	3 "	....	3	"	15,000	7½ "	6 "	6 "	6 "
Tremont.....	500,000	3 "	3 "	6	"	30,000	5½ "	6 "	6 "	6 "
Union.....	800,000	3 "	3 "	6	"	48,000	5 "	5½ "	5½ "	5½ "
Washington .....	500,000	2¾ "	2¾ "	5½	"	27,500	5½ "	5½ "	5 "	6 "
Total .....	\$10,210,000	....	Av.	4.48	692-1021	\$458,100	....	....	....	....

Table I. Continued.

Names of Banks.	DIVIDENDS.							Amount.
	1836.	1837.	1838.	1839.	1840.	1841.	Total.	
Atlantic .....	6 pr. ct.	6 pr. ct.	3 pr. ct.	6 pr. ct.	2 pr. ct.	6 pr. ct.	53 per cent.	\$265,000
Atlas.....	6 "	....	....	....	2 "	5 "	20 "	100,000
City.....	6½ "	6½ "	6 "	6 "	6 "	....	55½ "	555,000
Granite.....	6 "	6 "	3½ "	6 "	5 "	6 "	40 "	200,000
Hamilton .....	6 "	6 "	6 "	6 "	6 "	6 "	56½ "	282,500
Market .....	6 "	6 "	3 "	4¾ "	....	3½ "	41½ "	289,350
Massachusetts.....	2½ "	6 "	4½ "	5½ "	5 "	6 "	49.90 "	399,200
North .....	6 "	6 "	4 "	6 "	3 "	5 "	51¾ "	388,125
Shawmut.....	....	5 "	5 "	6 "	3 "	6 "	25 "	125,000
South .....	6 "	5½ "	3 "	5½ "	5 "	4 "	37½ "	187,500
State.....	10 "	5½ "	5 "	5¾ "	5¾ "	3¾ "	57¾ "	1,039,500
Traders' .....	6 "	6 "	6 "	6 "	6 "	3 "	58½ "	292,500
Tremont.....	6 "	5 "	6 "	6 "	6 "	6 "	58½ "	292,500
Union.....	5½ "	5½ "	5½ "	6 "	6 "	6 "	56 "	448,000
Washington .....	5½ "	3½ "	4½ "	6 "	5¾ "	5½ "	52¾ "	263,750
Total.....	....	....	....	....	....	Ag. av.	52.99 3063-4838	\$5,127,925

Table I. Continued.

Names of Banks.	Years.	LOSS OF INTEREST.		INT. PER ANN.		Aggregate capital.	Average rate of dividend.
		Per cent.	Amount.	Pr. ct.	Amount.		
Atlantic .....	10	7 per cent.	\$35,000	60	\$300,000	\$5,000,000	5.30 per cent.
Atlas.....	7	22 "	110,000	42	210,000	3,500,000	2.85 5-7 "
City.....	10	4½ "	45,000	60	600,000	10,000,000	5.55 "
Granite.....	8	8 "	40,000	48	210,000	4,000,000	5 "
Hamilton .....	9½	½ "	2,500	57	285,000	4,750,000	5.94 14-29 "
Market .....	9	12½ "	101,250	51	390,600	6,510,000	4.44 102-217 "
Massachusetts.....	10	10 1-10 "	80,800	60	480,000	8,000,000	4.99 "
North .....	10	8½ "	61,875	60	450,000	7,500,000	5.17½ "
Shawmut.....	5	5 "	25,000	30	150,000	2,500,000	5 "
South .....	8	10½ "	52,500	48	240,000	4,000,000	4.68¾ "
State .....	10	2¼ "	40,500	60	1,080,600	18,000,000	5.77½ "
Traders' .....	10	1½ "	7,500	60	300,000	5,000,000	5.85 "
Tremont.....	10	1½ "	7,500	60	300,000	5,000,000	5.85 "
Union.....	10	4 "	32,000	60	480,000	8,000,000	5.60 "
Washington .....	10	7½ "	36,250	60	300,000	5,000,000	5.27½ "
Total.....	Av.	7.00 1775-4838	\$677,675	....	\$5,805,600	\$96,760,000	5.29 9321-9676

We commence above, the publication of a valuable article, furnished by a correspondent, on the Bank Dividends in Boston, for the last ten years. In the course of a few days or weeks, as we have room, we shall insert another portion of the article.—*Boston Mercantile Journal.*

[Table II. will appear in next number.]

Debt of Texas.

The following is the present public debt of Texas, exclusive of the bonds, sold by the Loan Commissioners.	
Audited drafts funded.....	\$ 795,351
Promissory notes funded, previous to the 1st of July, 1840, in 10 per cent. fund .....	781,379
Land scrip funded .....	80,348
Eight per cent. bonds .....	849,900
Promissory notes .....	2,944,988
Navy drafts.....	125,000
Interest on 10 per cent. funded debt to the 1st November, 1841.....	188,685
Interest on 8 per cent. bonds to the 1st November, 1841 .....	71,394
	<hr/> \$5,827,909

First Snow.

The Cumberland (Md.) Civilian of this morning says, we had the first fall of snow this season, on Sunday evening last 24th Oct. For several hours the appearance was as in mid-winter. On the next day, however, the snow soon disappeared before the genial rays of the sun. In the moun-

tains west of this, we learn, the snow fell to the depth of four inches, and laid on the ground several days. We were visited with the the first fall of snow last season, on the 25th of October.

Cotton Packing Extraordinary.

Mr. J. Sims, Overseer for Gen. Wm. Irwin, of Henry county, Alabama, packed in one day, from sunrise to sunset, thirty-two square bales of cotton, averaging 478 pounds, with a common square threaded screw, with eight hands.—Mr. Sims challenges the whole world, and part of Texas to beat it, and if they can “come it,” he will then *do his best.*  
*[Fort Gaines Whig.]*

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## MESSAGE

OF GOVERNOR McDONALD OF GEORGIA.

*Fellow-Citizens of the Senate*

*and of the House of Representatives :*

*Deranged state of the currency.*

Of all the subjects entitled to your consideration during your present session, the still deranged state of the currency presents the most delicate and embarrassing. It is an evil that cannot be corrected in a day ; and it is less in your power to remove existing difficulties, than to prevent their recurrence by wise and wholesome legislation. What is the proper remedy for the mischief, has been a question of absorbing interest to the whole nation. A great diversity of opinion exists in relation to it amongst our most distinguished and enlightened statesmen. Some regard a National Bank as the only means of relief. Its advocates allege that its notes when undepreciated, are of almost universal and uniform credit, it commands a confidence but little short of that of the people in the government. Experience, however, has proved that such an institution is not entitled to so large a share of the public faith, and that it is liable to the same casualties of other banks, with this additional and condemning disadvantage, that when misfortunes befall it, the people are subjected to a double taxation ; first in the depreciation of its notes, and secondly to duties and imposts for its relief.

It cannot be expected that men of morals and capacity superior to those who are found to manage local institutions, are to be obtained to administer its affairs. Those who conduct it will be liable to the same influences ; will extend credits in times of high prosperity ; contract bad debts, misjudging the circumstances of applicants for its favor ; afford facilities, and perhaps be concerned in associations for speculation ; call in its debts in times of general embarrassment, thereby adding to the distresses of the unfortunate, and giving opportunities to a favored few to purchase, on private account, property sold at ruinous sacrifices ; lend its funds to political men, who, generally, of all others, are least apt to apply them to wise purposes, and are not always remarkable for punctuality ; and embark its means in hazardous enterprises, regardless of the interests of the government and its other proprietors. This is not all ; it will enter the field of political contest and assume the control of the government and its operations ; and, bringing the press and public councils under its authority, it will acquire a power, ultimately, that the nation cannot resist, and to which the people must submit ; all the while abstracting from their pockets the means of maintaining its unjust dominion over them.

*The late Bank of the United States.*

That these objections are well founded, is fully established by the developments of the late Bank of the United States, which has just terminated a career of profligacy and corruption without a precedent in the history of the country. This institution was originally chartered by the Congress of the United States, and went into operation under the most favorable auspices. With a substantial capital of twenty-eight millions of dollars it commenced business, having the revenue of the nation to sustain it, and in the short period of

eighteen months was driven to the necessity of making curtailments which crippled the commerce of the Union. At the expiration of twenty-seven months it was brought to the verge of failure, and was forced to throw itself on the public treasury to rescue it from ruin. The officers of some of its branches had abused the confidence of the Government and stockholders, and abstracted its means upon securities doubly pledged, trusting to the success of wild speculations to enable them to meet their engagements. A change of administration was effected, and a gentleman was placed at its head who, after bringing order out of chaos, resigned. Its destinies were then committed to a man who brought with him, it was supposed, every qualification of character and ability to insure its honest management, with profit to the proprietors and benefit to the nation. It was so conducted as to propitiate general confidence, and it acquired a reputation and influence which was almost irresistible by those who deemed its establishment unwise and unwarranted by the Constitution. It had command of the public treasure, and was master of a credit which enabled it to control the monetary operations of the country. Its affairs were all the while secret, and continued so, until a ray of light was thrown upon them by the imperfect investigation of a committee of Congress. It was then discovered that its great prosperity was resting on a dubious foundation—that the most influential presses in the country had been subsidized by heavy loans—that members of Congress, of commanding talents, had been fed, as professional men, to represent its interest in the courts of judicature, and that to others accommodations to enormous amounts had been conceded. If there was nothing unusual in this, it gave rise to strong suspicions that its purpose was to wield its gigantic means, levied in part by taxes on the people, to perpetuate itself upon the country and to interfere with the policy of the Government. It furnished evidence also, that the representatives of the people were in danger of being subjected to its dominion, and the nation controlled by its power. From being a mere appendage to the Government it assumes to be greater than the Government itself. But its arrogance was arrested by the great man then at the head of the nation, who could neither be won by its smiles, nor terrified by its frowns.—When it was found that the limit fixed for its existence by the act creating it, could not be transcended, it resorted to the expedient of invoking from a State a charter, by which it might escape the exposure of its condition, which must necessarily have taken place at the closing of its affairs, hoping, no doubt, under this shield to protect itself until, by obtaining a grant from Congress, it could be restored to its former privileges and powers. It succeeded in obtaining a charter, and with the same stockholders, save the Government, and the same assets, a new organization took place, under a cognomen admirably adapted to secure the confidence it acquired while it wielded the public funds. Every step it took, however, exposed its decrepid condition. Its fraudulent issue of the notes of the old Bank of the United States, and when thwarted in this, its hurried resort to foreign loans, and its engagement in cotton and other unjustifiable speculations, made it manifest that all its operations were the wild, indigested and misdirected efforts of desperation.

Finding as little favor with the present as with the former administration of the General Government, and being overwhelmed with difficulties, it was forced to yield to circumstances, and a state of things was divulged which covered



its once distinguished managers with infamy, and disclosed to the stockholders that their entire interest had been sacrificed by those in whose honor and integrity they had confided. The loss of this institution cannot be less than twenty-five millions of dollars. Its notes are at a heavy discount, and it is not yet ascertained that they can be redeemed, after appropriating the whole stock and other assets to this object. This is the *finale* of the old Bank of the United States. Had it continued to be the depository of the public funds, it might longer have concealed its situation and maintained its credit, but its actual condition would have been no better. Reasoning from data afforded, it may be concluded that its losses would have been still greater; and it is clear that the revenue of the country must either have been squandered or used to relieve it from its embarrassments — With this experience before the country, how can it be pretended that it is wise to establish such an institution to aid in managing the financial concerns of the Government, or to regulate the currency between different sections of the Union. In times of prosperity, when exchanges are low, it is not needed; but when adversity comes, it plunders and destroys, or is pressed and powerless, and in either case adds to the general calamity.

*Remedy for the diseases of the currency.*

In order that a proper and practicable remedy may be provided for the diseases of the currency, it is necessary that their causes should be thoroughly investigated. It is unquestionable, that the almost indefinite multiplication of banks has had a principal agency in bringing about the state of things now so much deplored. The facility with which these institutions can manufacture what is intended to be the representative of money, presents a strong temptation to the cupidity of man to embark in the enterprise of banking without capital. A charter is asked for, and the plausible ground is taken that additional banking capital is demanded by the city or town in which it is proposed to establish the institution. It is granted; and the incorporated gentlemen, to comply with the precautionary regulations of the Legislature, borrow for a few days the amount of specie required to be placed in the vaults before operations can be commenced. The bank opens under these auspices, the specie is returned to its proper owner, and the notes of the stockholders are substituted for it; and on this unsafe, fraudulent and unsubstantial foundation, rest many of these corporations. In such cases of unquestionable imposition, it is clear that the Legislature has the power to abrogate the charter, and it ought to be unhesitatingly exercised. Banks are not created for the benefit of the proprietors, further than to offer them a profitable investment of *actual* capital. The object of the Legislature is not to enable the capitalist to make interest, but to present before him inducements to give activity to his money for the benefit of the community; to bring it into trade; to increase the facilities of commerce; and enlarge the sources of general prosperity. All efforts to evade and thwart these purposes should be made highly penal, and the corporate privileges of banks violating the letter or spirit of their organic law, be abridged, or annulled, according to the enormity of the offence. They are no more beyond the reach of legislation than natural persons. Their capacity for mischief is inseparable from the power given them for good. This is necessarily the case, and they should be restrained by salutary laws from perverting this power to mischievous ends.

If the position be correct, that banking privileges should be conferred on those alone who have an actual surplus capital, not needed to be employed in any other way, might it not be a wise regulation, that a loan made directly or indirectly to a stockholder, should involve a forfeiture of his stock, or of the charter? A loan to a stockholder is an abstraction of so much of the capital, for which his note is substituted. The argument that the note of a stockholder may be made as good as that of any other person, is delusive and fallacious. It is true in fact, and therefore specious; but when examined proves to be unsound in principle. A charter is never granted to persons to enable them to issue notes to lend to themselves; but that those who have money may

associate and bring their means together to lend to others. A loan to one stockholder, it is known may be as good as that to another, and each has an equal right. Loans may be made in this way, not only until the entire capital is absorbed, but, beyond this, to the amount of issues the bank is authorized to make. There is, in such cases, a strong temptation to wrong; for the directors to extend mutual indulgences to each other; to refuse accommodations to all except the company, and when their indebtedness is greatest, to depreciate the currency, that they may purchase it at enormous discounts, or receive it in payment for property sold at unreasonable prices. The plan proposed promises to be more effectual than any other that suggests itself to my mind, to protect the community from this unjust and nefarious speculation. By extirpating the system of banking upon fictitious capital, the soundness of the currency is most likely to be preserved; stability will be given to exchanges; the planter and merchant protected from the devices of the speculator; and the laborer paid in funds not liable to depreciation.

As a means of obviating the causes which have led to the disorders of the currency, a favorable change might be made in our banking system. The Central Bank is the only institution which has diffused its accommodations to the people of every occupation and profession throughout the State. This should be sustained by all the means at the command of the Legislature. But besides this institution, I am satisfied that the public interest would be promoted if there were but a single bank, located at our principal sea port, with a capital adequate to all commercial purposes, and required to establish a branch at each point at which banking facilities are needed. The many advantages which this would have over the existing system, must be manifest to all. Every section of Georgia would have the same currency, not liable to loss by unjust exactions of unreasonable premiums on exchange, and of nearly uniform value throughout the State. By establishing a substantial credit at home it would acquire confidence abroad, and enable those who wish to use their funds in other States, to dispose of the notes at little or no sacrifice. There would be but little probability that those who embark in banking with the view of fabricating money for their own use, could bring the institution under their control so as to execute their purpose. This should be effectually provided against in the charter. That many banks have charters as yet unexpired, may give rise to some difficulty in carrying this measure promptly into operation. If the act of incorporation were immediately passed, providing that no other bank should be chartered, and that the charters of those in existence, except that of the Central Bank should neither be renewed or extended, it would attract the attention of capitalists and accumulate strength as the other institutions expired. I submit these views to your consideration. It is expected that they will encounter the opposition of many of the banks now in existence, and the hostility of those towns and cities ambitious of retaining a bank. But the public interest alone should be consulted, and the recommendation is made under the firm conviction that it will be promoted by it.

On the first day of January I issued my proclamation requiring the several banks in this State, their branches or agencies, on and after the first day of February thereafter, to redeem their liabilities with specie, in conformity to the provisions of an act of the last General Assembly. Some of the banks complied with the requisition and still continue to pay specie, others resumed for a time, but were forced, from the heavy demands made upon them, to suspend; while there were others which, from an inability to meet their engagements, or other causes made no effort to conform to the law.

It was made the duty of the Executive to order judicial proceedings against any bank for the forfeiture of its charter, upon due proof of its failure to redeem its liabilities with specie. Information having been lodged in proper form against the Georgia Railroad and Banking Company, the Bank of Columbus, the Planters' and Mechanics' Bank of Columbus, and the Chattahoochee Railroad and Banking Company, sustained by due proof of their failure to comply with the provisions of the statute, judicial proceedings have

been ordered against them, and able counsel have been employed to aid in the prosecution of the respective cases, for such compensation as the Legislature shall prescribe.

#### *Bank of Darien.*

The interest that the State holds in the Bank of Darien, requires, that I should invite your special attention to its condition. I transmit to you copies of communications made to this Department by C. H. Hopkins, Esq., one of the State Directors in relation to some of its transactions, and of my replies to him, and a correspondence with the bank. I also submit to you the copy of a contract—the same referred to in the letter of the President—made with the New York Banking Company, through its presiding officer. This is a document of extraordinary character. While the bank places in the custody of the opposite party a large amount of its own and other notes, to be forfeited and sold on a non-compliance with its part of the contract, (if that can be called a contract which is without mutuality,) the other party binds itself to the performance of no act, nor does it extend to the bank any power or privilege that it did not possess independent of the instrument. If there was any collateral, verbal understanding, it was without obligation, and rested with the option of the party to execute it or not. This matter requires investigation. The Central Bank, in the year eighteen hundred and thirty-nine, received a large amount of the notes of the Bank of Darien, a part of which is still on hand. This, with the stock owned by the State, and the obligations to protect the community from loss, constitute a sufficient consideration to induce you to look thoroughly into its affairs. If there be doubt on general principles of the constitutional power of the Legislature to exert a controlling authority over banks, the right reserved in the sixteenth section of the act of incorporation of this institution relieves the matter of all difficulty. I would recommend that its assets of all descriptions be transferred to the Central Bank, under such regulations as will guarantee to its debtors the greatest possible indulgence, consistent with the rights of its creditors and the interest of the State.

#### *The Central Bank.*

The Central Bank, an institution which has afforded more actual accommodation than any other to the people at large, and has suffered fewer losses, and of less amount in proportion to its capital and the length of time it has been in operation, requires the aid of your sustaining efforts. It has for a series of years been taxed with the support of the government and heavy legislative appropriations. Its power to do good has been almost destroyed by continual encroachments upon its capital stock, but at no time have greater ravages been committed upon it than those suffered during the political year just ended, from the acts of the last and previous Legislatures. The sum of four hundred and eighty-nine thousand three hundred and ninety-seven dollars and two cents has been paid upon the requisitions of the last General Assembly; and about the sum of one hundred and thirty-two thousand five hundred and twenty-seven dollars under previous laws. But I am happy to say that it has discharged its debt to the Phoenix Bank of New York, amounting to two hundred and sixty-three thousand dollars, which by the act, authorizing the loan, it was required to do, and to charge the same to its capital stock. Of this last sum, one hundred and six thousand nine hundred and twenty dollars were the proceeds of the sale of bank stock, authorized by the act of December last. The directors finding themselves unable to make a sale of bank stock, even on the very favorable terms, authorized by the statute, to an amount sufficient to pay the debt, were compelled to avail themselves of the power given them by law to purchase bills of exchange or other paper, for the purpose of remitting funds to pay any debt contracted abroad by authority of the Legislature. They accordingly with this object purchased bills of exchange and other paper to a large amount. The extraordinary sum of one hundred and eighty-nine thousand dollars of this paper has been permitted by the drawers and endorsers to be returned under protest for non-payment, although they were under the most solemn obligations, moral as well as legal, knowing the ob-

ject with which it was purchased, to meet it at maturity.--- In addition to this there is now running of this paper the sum of forty-four thousand seven hundred and thirty dollars. Hence, it appears that during the year, to answer the requisitions of the Legislature and to pay the public debt, the circulation of the Central Bank has been increased one million eleven thousand seven hundred and thirty-four dollars and two cents. It is apparent that this immense sum (excepting the paper purchased to pay the debt abovementioned amounting to two hundred and four thousand four hundred and nineteen dollars,) is a charge upon the capital stock of the bank, and is so far an utter annihilation of its means. Although the bank is entirely able to meet all its engagements of every sort, it has to rely mainly on its collections for the purpose, if the bonds provided for the redemption of its notes, which have as yet been but little available, be put out of the question. A considerable part of the protested paper abovementioned, was purchased without an abatement of interest, in consideration of the difference of exchange between this place and the place where it was made payable, which if it had been punctually paid would have been a gaining operation to the bank, the rate of exchange exceeding the legal interest. If it is expected to sustain the public credit through the operations of this bank, a summary remedy must be provided for the enforcement of such contracts. I would recommend the immediate enactment of a law for this purpose, applicable as well to all papers of whatever kind, now held by the bank, except accommodation notes received at the ordinary distributions, as to papers for which it may hereafter negotiate, for the purpose of paying the public debt, or the interest thereon.

As above remarked, but few of the eight per cent. bonds provided for the redemption of the Central Bank notes, have been sold. From the course pursued by a portion of the public press, calculated to depreciate the credit of the bank and the resources of the State, a distrust of our stocks has been created amongst capitalists, which has deferred their hitherto, from making the safest and most profitable investment offered in the United States. The prostration of the State's credit by the protest of the debt due to the Phoenix Bank of New York is a difficulty against which we have had to struggle; and it has presented a formidable obstacle in all subsequent attempts at negotiation. Notwithstanding this debt has been paid, and all other engagements have been promptly met by the State, the confidence of foreign capitalists in Georgia securities, is far from being restored. When suspicion is thrown either upon our ability or integrity of purpose, by a part of our own citizens, it is not a matter of surprise that a distrust of us should be excited in those who must depend upon others for the character to which we are entitled. It is to be hoped, now that the revenue is paid into the public treasury, that there will be no necessity for resorting to loans to any considerable extent, to sustain the government or its policy. From information derived from the Comptroller General, the anticipated nett receipts into the Treasury, will be about the sum of two hundred and thirty thousand dollars.

You will perceive that the heavy drafts made by the last General Assembly upon the then almost exhausted resources of the Central Bank, have left it without the ability to make discounts, except at the hazard of an insufferable depreciation of its notes. I would recommend the speedy restoration of this institution to its former condition of usefulness, that it may renew, at as early a period as practicable, its accustomed accommodation to the people.

#### *Measures of relief.*

I had the honor, at the last session of the Legislature, to invite the attention of that body to some measure of relief to aid the people through the difficulties of the present year. The recommendation was based upon the sole ground that the failure of the cotton crop (a providential calamity, which could neither be foreseen nor guarded against) had deprived the people of the usual means of meeting their engagements. The specific measure proposed was one which could have injured none, while it might have resulted in the advantage to thousands. It was intended to benefit that class of valua-

ble citizens of moderate fortune, who, in times of national difficulty, occupy the posts of danger, and are ready to offer up their lives for their country, and whose distresses had been brought upon them neither by idleness nor miscalculation. Whether the crop of the present year will make up the deficiency of the last, and render such a measure unnecessary, you, coming from all parts of the State, will determine. The policy of legislating for such purposes, when the general embarrassment is the result of miscalculation, or misadventure, cannot be defended. It would encourage men to rely upon the government, instead of their own industry, paralyze their energy, stifle exertion, and subdue that spirit of manly independence which alone can sustain a community of freedmen. If the cause, however, which induced me to submit the matter to the consideration of the Legislature, and asks its intervention, continues to operate, it will be your duty to ascertain if there be any practicable means at the command of the government to give effect to the measure without entailing a greater evil upon the country. The Central Bank, which I stated at that time could not be relied on for the purpose, has been placed in a much worse condition by the requisitions of the last Legislature, and its own efforts to discharge the debt of that institution to the Phoenix Bank. It cannot, therefore, until its condition is improved, be called upon to minister to the public relief, without adding to the distractions of the currency. Nor can it be expected, that while a part of our own citizens are engaged in exciting in the minds of capitalists a distrust of our stocks, that bonds can be sold for the purpose.

#### *Supreme Court, &c.*

The attention of the General Assembly has been frequently called to the amended Constitution, authorizing the establishment of a Supreme Court for the correction of errors. I again commend it to your consideration. When it is considered that the principal object of government is the attainment of justice, it is a matter of surprise that we should rest quietly under the imperfection of our system of jurisprudence, in which there is neither security nor certainty.—The decisions of the circuit judge are final and irreversible, except at his will. His power, in cases involving the life, property and liberty of the citizen, is absolute and appalling; and, but that we have been so long accustomed to its exercise by a single individual, it would not be tolerated for a day. It has been said, by those opposed to this reform in our judiciary, that if one errs, three may err. This is true; but it is also true that three are not so likely to err as one, especially when those three are surrounded by circumstances better adapted to full, calm and thorough investigation.—This principle is anti-republican; for the same reasoning would apply to the Legislature, and lead to the concentration of the law-making power in the hands of a single individual. The objection arising from the alleged delay of judicial proceedings cannot be available, until it is shown that it is better for a man to suffer the wrong of an erroneous decision than, by prosecuting his rights, attain justice at a slight sacrifice of time. The great utility of such a tribunal strongly recommends its adoption. It will produce uniformity of judicial determinations; by the settlement of legal principles it will diminish litigation; and from the published reports of its decisions, an opportunity will be afforded, every man to understand the authoritative interpretation of the laws.

The constitutional provision, that the trial of all criminal cases shall be in the county in which the offence was committed, has given rise to much difficulty, and, in some instances, flagrant injustice. From the law regulating the selection of juries, an offender has been enlarged on his own recognizance, which amounted to an acquittal, after years of imprisonment in the common jail, from the impossibility of procuring a jury who had not expressed an opinion on his case. It is due to the public justice that an impartial trial should be made in every case, and for this purpose it is absolutely necessary that power be given to the courts, to direct a change of venue when justice cannot be obtained without it. I bring this subject to your notice, that you may

give it the consideration to which in your judgment it may be entitled.

I would recommend, as a salutary regulation, tending to the furtherance of justice, that all persons subject to jury duty, either as grand or petit jurors, be required to serve on the trial of white persons charged with the higher offences, and on the trial of free persons of color and slaves of capital crimes. Grand jurors who presented the offence would of course be incompetent to try the offender.

A statute was passed in the year eighteen hundred and twenty-nine, declaring that grand jurors should be bound to notice or make presentment of such offences only as might or should come to their knowledge after they have been sworn. There can be no good reason assigned wherefore the morals and good order of the community should find no favor in the eye of the law, except during the week of the session of the Superior Court in each county. The office of a prosecutor, whether justly or unjustly, is invidious; and few individuals step forward for the purpose of bringing offenders to justice, except in cases where their rights have been assailed; but grand juries, under a proper regulation of their duties, are shielded from the imputation of unworthy motives, and may be made powerful agents in promoting the welfare of society. I would recommend the repeal of the law abovementioned and the enactment of one in its stead, making it their duty to present all crimes of the highest order at least, that may have been committed within their knowledge, at any time since the term of the court preceding that at which they are called to serve. The extraordinary powers of the grand inquest might be put in requisition also to rid our cities, towns and villages of the idleness and profligacy that infest them.

#### *Biennial Sessions of the Legislature.*

In the year eighteen hundred and thirty-nine an act was passed for amending the Constitution, providing for biennial instead of annual sessions of the Legislature, and the people were called on to express their will on the subject at the then next general election. This was done, and they gave a most decided approbation of the measure. From some fault in the law which had been passed on the subject, it was rejected by the last General Assembly, but another act was immediately passed, remedying the defect, and this will now come before you for consideration. The immense expense of the Legislature of Georgia, being more than double that of any other State in the Union, and the constitutional power of the Executive to convene the General Assembly on extraordinary occasions, had doubtless a powerful agency in influencing the popular decision on this measure, and strongly commend its adoption to you. The annual saving to the State of Georgia will be between fifty and sixty thousand dollars; a consideration not to be lightly regarded. The annual expense of legislating, including the public printing, is about one hundred and ten thousand dollars, so that every alternate year this immense sum would be saved, without the slightest detriment to the Commonwealth. Should the amendment be adopted, it will go into effect on the 30th day of September, eighteen hundred and forty-three, so that the first session of the General Assembly, under the new regulation, will be in November of that year. Should the Constitution be altered, I would recommend you to provide by law, that if the term of office of the judicial or other officers of government, eligible by the General Assembly, should expire during the recess of the Legislature, an election shall take place at the session preceding the expiration of their office, and that the successor be commissioned at the close of the term.

#### *Western and Atlantic Railroad.*

I lay before the Legislature the report of the chief engineer of the Western and Atlantic Railroad for the third quarter of the present year, in which is stated the amount expended upon that work thus far, and the estimated cost of its completion. The sum expended is two millions one hundred and eighty-one thousand two hundred and seventy-two dollars and six cents, on account of which a public debt

has been incurred, amounting, according to the best of information at my command, to between thirteen and fourteen hundred thousand dollars. From the report of the President of the Board of Commissioners, a copy of which is laid before you, it will be seen that arrangements have been made for the completion of fifty-two miles of this road, beginning at the south-eastern terminus, which will carry it two miles west of the Etowah river. It should be put into operation to that point, as soon as the connexion of either of the branch roads with it will justify the belief that it may be profitably employed. The tunnel through Little Blue Ridge has been abandoned by the original contractor. This should be re-let, that it may be in readiness to receive the superstructure when that point shall be reached. In the further prosecution of this work I would recommend the use of the strictest economy. The work should now be prosecuted gradually, and in such manner that the profits of that part which may be expected to be carried soon into operation may be applied to the construction. The corps of engineers should be reduced to the number that, when constantly and actively employed, shall be adequate to the superintendence of the entire work.

The Commissioners have resolved to subject the timber to be used on the road to the action of preservative salts, to prevent the expenses arising from its decay. It may perhaps be prudent to lay down the balance of the road in the hardy and durable timbers of the country through which it passes, until the efficacy of the preservative material be tested by the application already determined upon, and we have evidence of our own experience of its economy.

The high moral obligation that the State is under to those enterprising companies which have been induced to incur heavy expense, relying on the public faith; the immense facilities the road will afford the inhabitants of the north-western section of the State for the transportation of the abundant products of their fertile lands to a profitable market; the advantages of commerce it will open to the adjacent States, inviting their wealth to our borders, and offering them the most convenient and rapid communication with the Atlantic; the revenue it will bring to the State Treasury, reimbursing the State for the entire cost of its construction, besides affording the means of either relieving the people from taxation, or executing any other public enterprise that may contribute to the general prosperity; its incalculable benefits in time of war, in the easy and speedy transportation of men and provision to the point at which the assaults of the enemy may be expected, all combine to recommend it to the fostering care of the representatives of the people.

No local strifes, no sectional jealousies, no unjust prejudices, no partisan considerations should be permitted to stand in the way of the progress of a work which promises for Georgia, what the Erie Canal has accomplished for New York. While, however, I propose a steady perseverance in the execution of this noble enterprise, I would earnestly recommend its further prosecution to be based upon permanent legislative provisions and regulations, which shall not add to the burdens of the people. Contributions should never be demanded from the people, unless equivalent benefits are secured to them, and this cannot be the case when public exactions exceed the probabilities of individual advantages. If the profits of this road, as it is gradually extended, are brought into the work and applied to the payment of the interest and gradual reduction of the principal of the debt contracted for its construction, it may be completed without resort to additional taxation.

#### *Monroe Railroad and Banking Company.*

A difficulty has arisen between the Commissioners and the Monroe Railroad and Banking Company, in regard to the location of the South-Eastern terminus of the road. I lay before you the copy of a communication of General Griffin on this subject. The drawing to which he alludes is in this department, subject to the inspection of the General Assembly. This matter should be authoritatively settled by the Legislature in a manner required by the public interest, and justice to the companies expected to form a junction with the State road.

#### *Money paid out for the suppression of Indian hostilities.*

The State of Georgia has not yet been reimbursed by the General Government for the money paid out for the suppression of Indian hostilities. An act was passed for the purpose at the close of the late administration, but was not presented to the President for his signature until his constitutional term had expired; so that it has to pass again through all the forms of legislation before it can become a law. I called the attention of the Georgia delegation in Congress to this subject at an early period of the extra session, and was informed that this matter not being embraced within the special objects for which Congress was assembled, would not be acted upon. It was proposed in the Senate and rejected. It is a matter of just complaint that while the government passes over without consideration, or rejects without cause, the claims of the State which have been once thoroughly investigated, and whose validity has been recognized, it distributes gratuitously, millions from the public treasury.

#### *Demand on New York for a fugitive.*

In April last, John Greenman, otherwise called Alanson Greenman, stole a negro woman, the slave of Robert W. Flournoy, and escaped to the State of New York. An affidavit of the fact was made by Mr. Flournoy, which after the authentication required by the act of Congress was transmitted to the Governor of New York, with a demand for his arrest and delivery to Frederick Huntington, who was constituted the agent of this State, to receive him. Although the affidavit charging the offence is positive and unequivocal, conforming in all respects to the act of Congress, the Governor of New York has demanded a proof of the facts and circumstances of the case, before he will order the arrest and surrender the fugitive. This proof although entirely convenient, I declined procuring, as I was fully satisfied that I had complied with the letter and spirit of the Constitution and act of Congress. I submit to you a copy of my correspondence with Governor Seward on this subject. It will be seen that he does not deny our right to demand of him the execution of this constitutional provision, while from his untenable positions it is palpable that he is determined to evade its performance. It is with regret that I communicate to you my decided conviction, that the State of New York justly occupying a commanding position among the States of the Union, has proven by the acts of her Legislature and Executive officer, a settled design to attack the institution of slavery in other States, an institution which she has countenanced by the adoption of the Federal Constitution; and which was recognized and maintained within her own limits until it ceased to be advantageous to her own people.

The Legislature has passed an act which effectually prevents the master from recovering his absconding slave, who may be found there, and the Executive has assumed to say what act shall or shall not constitute an offence when committed in another State, thereby denying the right to other States to protect the property of their people by the enactment of penal laws. The act of the Legislature is not only intended to encourage the elopement of slaves into that State, but is in direct contravention of the Constitution of the United States, and in conflict with the Act of Congress to carry into effect the second clause of the second section of the fourth article of that instrument. Collisions of this sort among the States may be expected as long as the duties of the General Government are devolved upon the officers of the State Governments, some of whom be found occasionally weak and irresolute enough to sacrifice the great principles which unite the States together, to local excitements and low sectional prejudices. The duty of delivering fugitives from justice, without discrimination, is created by the Constitution of the Union, and is unknown to the laws of Nations; so that the States as independent sovereignties, would have no right to demand it of each other except by compact or treaty. The Constitution nowhere requires the execution of this duty by the States. It is then to be performed by the General Government, and it ought to be required to exe-



cute it. This is the true doctrine of State Rights. While it jealously guards against the encroachments of Federal power, it requires of the General Government the strict performance of all its constitutional obligations. The Constitution does not require of the States the performance of reciprocal duties essential to their safety and prosperity, while it disarms them if aggrieved of all means of redress. On the demand of the Governor of one State, upon the Executive authority of another, of a fugitive from its justice, who may be found there, the latter might with much propriety, require proof of the authority either by the express terms of the Constitution or necessary implication, to require of him the delivery of an absconding felon. The authority for a demand would be unquestionable, but it must be made upon the government created by the Constitution, and not upon State Governments on whom no duty to make a surrender is imposed. The Constitution of the United States is most admirably adapted to the preservation of pacific foreign relations, by preventing one State from involving the rest in angry collisions with other nations; and it is equally felicitous in providing for domestic harmony among themselves, by devolving on the General Government every regulation and the performance of every duty, which if left to them might give rise to dissensions and bloodshed. Cases like the one which has given rise to these remarks, are not to be endured. The property of our citizens is to be protected by all the safeguards which we think proper to throw around it; and no State must be permitted to send its *brigands and robbers* amongst us to plunder and destroy, and then afford them a sanctuary and justify their outrages. As the General Government by an Act of Congress, has deemed it expedient out of comity to the States, to ask of their Executive officers respectively, to execute that provision of the Constitution which relates to the surrender of fugitives from justice, and as in case of refusal the injured State has no constitutional redress, a resort must be had either to unconstitutional remedies, or some regulation must be adopted to prevent a recurrence of the evil. The latter course I would recommend.

#### *Fanaticism.—Slavery.*

The spirit of fanaticism, against which we have to contend, is ardent, untiring, artful and insidious. It has sent its missiles into a neighboring State, and perhaps into our own, in incendiary prints and publications, concealed in packages of goods. Although as a body, the highly respectable merchants of other States, with which we have held commercial intercourse, may not engage in such nefarious business, it is essential to our safety and interest that no avenue should be left open through which we may be assailed. The open ground occupied by the constituted authorities of New York on this subject, leaves no room to doubt that a large part of the population of that great State, are hostile to the institution of slavery; and that for the purpose of destroying it, would destroy us. In this State of things, our safety requires that a system of police should be adopted that will protect us against the possibility of harm. I would therefore recommend that a law be passed subjecting to inspection every package of goods that shall be imported either directly or indirectly, from the State of New York, or any other State manifesting the same disposition of hostility to our institutions; and that competent officers be appointed to execute the law, with sufficient salaries to be provided by duties on goods imported from these States, and moreover, that all suspected persons coming from such States be required to find surety for their good behaviour; and particularly that they will in no manner interfere or hold intercourse with our slave population while within our limits.

#### *Florida war.*

In the month of March last, upon the organization in the new administration, a notice appeared in the National Intelligencer, as upon authority, that Gen. Reid's command of Florida militia were ordered to be discharged. Four companies of mounted militia from this State, for the special protection of the frontier inhabitants of Georgia, were under the command of that officer. I immediately addressed a

letter to the Secretary of War, inquiring if the exposed district of Georgia was to be left without protection, and I was informed by him that the Georgia companies were not embraced in the order for the discharge of General Reid's command. A very few days after, I received intelligence that rations were withheld from these companies, and supposing that the orders of the Secretary at War had been disregarded or misapprehended, I addressed a letter to the Quartermaster, and forwarded to him a copy of the letter of the Secretary at War, and also addressed a letter to Mr. Bell, complaining of this extraordinary procedure. To my surprise he justified it, and from the terms of his reply, no doubt was left on my mind, that it was authorized by him. I also urged again the necessity of establishing a sufficient military force in that quarter to protect the people of Georgia from the predatory incursions of the savages, to which they had been subject for several successive years. He then referred the whole matter to Col. Worth, commanding in Florida, who assured me that a sufficient force should be provided to insure the safety of the people. I received from our own citizens repeated complaints of the inadequacy of the force sent for their protection, of which I apprized Col. Worth, and it was not until the Indians had made a hostile demonstration within a few miles of the Georgia boundary, murdering the people and destroying their property, that I ordered out two companies of mounted men, commanded by Captains Jernigan and Sweat. I notified Col. Worth of my orders, and requested that they might be furnished by the United States with forage and subsistence. For reasons assigned in his letter to me, a copy of which I lay before you, he has declined to comply with my request. It is proper for me to remark here, that from one of the letters of Capt. Jernigan, copies of which are herewith communicated, it will be seen that, notwithstanding the ample force in the estimation of the commanding officer, stationed in that section of the country, the Indians approached within a few miles of Georgia, murdered the inhabitants, and retired unobserved by the regular troops; and that it was not until they were informed by Capt. Jernigan, that pursuit was made, which, as will be seen, proved unavailing. I have notified the Secretary at War that these companies have been called into the service, and have requested that they be mustered and paid. If this should be refused, it will be necessary for you to provide for their payment.

#### *Resolutions of the States.*

I transmit to you copies of resolutions adopted by the Legislatures of the States therein named, on various subjects of national policy. They will of course receive that consideration to which the importance of the subjects to which they refer and the interest of the country entitle them.

#### *Taxes.*

Under the act of the last session of the Legislature which required the receiver of tax returns for the several counties in this State to assess a tax against persons who had issued change bills, &c., and who refused or failed to make a return of the amount so issued, and to assess the taxes aforesaid at fifteen thousand dollars, several persons have been assessed in that sum, some of whom applied to me for relief from the hardships of the act. Inasmuch as there could be no judicial interference in the case, and it was manifestly the intention of the General Assembly that the said assessments should operate more as a penalty than a source of revenue to the State, on the fourth of September I passed an order, suspending the collection of the assessments, in all cases where the party would make affidavit of the amount of prohibited paper he had in circulation on the first day of July, and pay according to law, fifty per cent. thereon. The object of this order of suspension was that the subject might be referred to your consideration, and that the aggrieved parties might be relieved from the payment of the excess of the penalty over the fifty per cent. on the actual issues, if in your judgment they are entitled to the clemency.

A difficulty has arisen in regard to the construction of the tax act of the twenty-third of December last, so far as regards the commissions to which receivers of tax returns

are entitled. They claim commissions for taxes assessed upon defaulters, to which the Comptroller General has decided they are not entitled. That act revives the tax act of eighteen hundred and four, and all other acts amendatory thereof, not containing repugnant provisions. Neither by that act or any amendatory act, are receivers entitled to commissions, except on property returned. The act to raise a tax for the support of Government for the political year eighteen hundred and thirteen, which was revived for a series of consecutive years, was the first to allow commissions on assessments. Besides, a large amount of the assessments returned the present year was made under the law intended to prevent the evils of private banking, and not under the revenue act; so that in every view of the case, commissions are not allowable by existing laws on the vast amount of assessments made; and it is for you to determine whether they shall be now granted. They would absorb one-sixth part of the collectable taxes.

#### *Education.*

Among the constitutional duties which you are called upon to discharge, is the promotion of the arts and sciences in one or more seminaries of learning. The university is in a flourishing condition, and from the liberal patronage of the State, is enabled to afford the benefits of education to many who would otherwise be compelled to depend upon the institutions of other States, or, for the want of means to defray so heavy an expense, abandon the pursuit of knowledge. The first thing to be regarded in a republic, is the virtue of the people; the second, their intelligence; both are essential to the maintenance of our free institutions; the first inspires them with a disposition to do right, the second arms them with power to resist wrong. The precepts of morality are mingled with lessons of literary instruction, in almost every system of modern education; and he who attains a high degree of mental improvement cannot fail to be impressed with those lofty sentiments of right which tend to social happiness.

The sum now distributable among the several counties as a poor school fund, is twenty-one thousand and eighty-nine dollars and sixty-four cents; an amount so inconsiderable, I regret to say, as to afford them but little means of defraying the expenses of the education of those for whom it was intended. But for the engagements that may have been made with teachers for the present year, dependent on the funds expected from the State, I would recommend its being retained until another dividend shall arise upon the stock applicable to this object, which will be in April next.

#### *Executive warrants.*

I lay before you a statement of Executive warrants drawn upon the treasury for the past political year; and also a list of Executive appointments made since the first of November last.

#### *Military, &c.*

I also submit copies of the reports of the military storekeepers at Milledgeville and Savannah and the report of the new commissioners of the road leading from Elijay to the federal road in Murray county, relating to their proceedings in regard to an attempted settlement with the former commissioners.

Major General Burwell J. Wynn has resigned his command of the second division of Georgia militia.

John H. Watson, Esq. has resigned his office of Solicitor General of the Chattahoochee circuit, and Alexander H. Cooper, Esq. has been appointed to fill his vacancy occasioned thereby.

William H. Stiles, Esq. has been appointed, according to a resolution of the last General Assembly, to examine into the application of the funds appropriated for the opening and improving the navigation of the Ogeechee river.

#### *Penitentiary.*

The operation of the Penitentiary, under its present able and energetic keeper, exhibits a profit of nearly six thousand dollars since the 4th day of January last; but the large

amount of manufactured articles on hand shows the necessity of making some new regulation for the sale of them.—To prevent their accumulation, and the injury they necessarily sustain from time, I would recommend that the inducement be held out to purchasers that payment may be made through the Central Bank, in notes well secured, and that all articles on hand be sold annually at auction, on the same liberal terms.

The improvement made in the management of the institution and the mode of keeping the accounts, will, it is hoped, prevent the evils complained of in the report of the principal keeper, and effectually prevent the errors and impositions there exposed. It will be seen, from the report, that in former reports, articles and expenditures have been placed among the available means of the institution, which ought to have been charged to its incidental expenses.

It is necessary to the profitable management of the institution, that provision be made for the payment of its debts. If upon the consumption of its present stock of materials it is left without means, and destitute of credit, its operations must cease. If the proposed change be made in the mode of selling the manufactured articles, the State may expect to be reimbursed in good notes bearing interest, for all sums advanced. For information in regard to all other matters connected with the institution; the defects in former regulations; its present condition and future prospects, &c, I refer you to the very full report of the principal keeper, which will be communicated in a few days.

#### *Bank of Ruckersville.*

I lay before you the October report of the bank of Ruckersville. The report of the other banks are in the hands of the State Printer, and will be ready for delivery in a short time.

#### *Veto.*

Several bills passed by the last General Assembly, presented for my revision, and dissented to by me, are herewith transmitted, with my objections.

#### *Lunatic Asylum.*

One of the buildings intended as a Lunatic Asylum will be completed before the close of your session. It will, therefore be necessary to adopt regulations for the reception and custody of the unfortunate class of persons for whose benefit it was constructed, and to provide for them suitable medical and other attendance.

#### *Balance due to the Georgia Railroad and Banking Company.*

A balance is due to the Georgia Railroad and Banking Company for advances made to the Commissioners of the Western and Atlantic Railroad, for which the bonds of the State are hypothecated to a large amount. I had the honor to call the attention of the General Assembly to this subject at the last session. It is equally due to the State and the company that this claim should be settled.

In the exercise of the discretion given to you by the people, to make all laws and ordinances which you may deem necessary and proper for the good of the State, not repugnant to the Constitution, you will doubtless take into consideration other measures than those herein recommended. We require nothing but wholesome laws, faithfully executed, to make us a happy and prosperous people. A kind Providence has surrounded us with blessings, moral, religious and political, and has cast our lot in a bountiful land. Our prosperity and happiness then, depend upon ourselves. Invoking the aid and guidance of the Supreme Being, let us aim at their attainment.

CHARLES J. McDONALD.

EXECUTIVE DEPARTMENT,  
Milledgeville, November 2, 1841.

SINGULAR.—Mr. Harry French, of Bethany, has an apple tree on his farm, thirty years old, which is still in bearing, and not an apple from it was ever known to contain a seed!

*Columbian Register.*

[Continued from page 304.]  
Table II. Continued.

Names of Banks.	Incorporated.	1832.—DIVIDENDS.					1833.—DIVIDENDS.			
		Capital.	April 2.	Oct. 1.	Total.	Amount.	April 2.	Oct. 7.	Total.	Amount.
Columbian .....	1822	\$500,000	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000
Mechanics .....	1836									
	Total	\$500,000			6	\$30,000			6	\$30,000

Table II. Continued.

Names of Banks.	1834.—DIVIDENDS.				1835.—DIVIDENDS.			
	April 7.	Oct. 6.	Total.	Amount.	April 6.	Oct. 5.	Total.	Amount.
Columbian .....	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000	3 pr. ct.	6 pr. ct.	6 pr. ct.	\$30,000
Mechanics .....				\$30,000				\$30,000

Table II. Continued.

Names of Banks.	1836.—DIVIDENDS.				1837.—DIVIDENDS.				
	April 4.	Oct. 3.	Total.	Amount.	Capital.	April 3.	Oct. 2.	Total.	Amount.
Columbian .....	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000	\$500,000	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000
Mechanics .....					150,000	3½ “	3 “	6½ “	9,750
					\$650,000		Average	6.11 7-18	\$39,750

Table II. Continued.

Names of Banks.	1838.—DIVIDENDS.				1839.—DIVIDENDS.			
	April 2.	Oct. 1.	Total.	Amount.	April 1.	Oct. 7.	Total.	Amount.
Columbian .....	3 pr. ct.	3 pr. ct.	6 per cent.	\$30,000	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000
Mechanics .....	2½ “	3 “	5½ “	8,250	3 “	3 “	6 “	9,000
		Average	5.88 5-13	\$38,250		Average	6	\$39,000

Table II. Continued.

Names of Banks.	1840.—DIVIDENDS.				1841.—DIVIDENDS.			
	April 6.	Oct. 5.	Total.	Amount.	April 5.	Oct. 4.	Total.	Amount.
Columbian .....	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000	3 pr. ct.	3 pr. ct.	6 pr. ct.	\$30,000
Mechanics .....	3 “	3 “	6 “	9,000	3 “	3 “	6 “	9,000
		Average	6	\$39,000		Average	6	\$39,000

Table II. Continued.

Names of Banks.	DIVIDENDS.							
	1832.	1833.	1834.	1835.	1836.	1837.	1838.	1839.
Columbian .....	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.	6 pr. ct.
Mechanics .....						6½ “	5½ “	6 “

Table II. Continued.

Names of Banks.	DIVIDENDS.				Years.	Average rate of dividends.	Aggregate capital.
	1840.	1841.	Total.	Amount.			
Columbian .....	6 pr. ct.	6 pr. ct.	60 pr. ct.	\$300,000	10	6 per cent.	\$5,000,000
Mechanics .....	6 “	6 “	30 “	45,000	5	6 “	750,000
				\$345,000		6	\$5,750,000

Table 3.

Names of Banks.	Incorporated	1832.—DIVIDENDS.					1833.—DIVIDENDS.			
		Capital.	April 2.	Oct. 1.	Total.	Amount.	April 2.	Oct. 7.	Total.	Amount.
Boston .....	1804	\$600,000	2 pr ct.	3 per ct.	5 per ct.	\$30,000	3 per ct.	3½ pe. ct.	6½ per ct.	\$39,000
Eagle .....	1822	500,000	3 “	3 “	6 “	30,000	3 “	3 “	6 “	30,000
Freeman .....	1836	.....	.....	.....	.....	.....	.....	.....	.....	.....
Globe .....	1824	1,000,000	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000
Merchants' .....	1831	750,000	4 “	3 “	7 “	52,500	3 “	3 “	6 “	45,000
New England .....	1813	1,000,000	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000
Shoe and Leather Dealers' .....	1836	.....	.....	.....	.....	.....	.....	.....	.....	.....
Suffolk .....	1818	750,000	3 “	3 “	6 “	45,000	3 “	3½ “	6½ “	48,750
		4,600,000			Av. 6.03 6-23	\$277,500			Av. 6.14 31-46	\$282,750

Table 3, Continued.

Names of Banks.	1834.—DIVIDENDS.				1835.—DIVIDENDS.			
	April 7.	October 6.	Total.	Amount.	April 6.	October 5.	Total.	Amount.
Boston .....	3½ per ct.	3½ per ct.	7 per ct.	\$42,000	3½ per ct.	3½ per ct.	7 per ct.	\$42,000
Eagle .....	3 “	2 “	5 “	25,000	3 “	3 “	6 “	30,000
Freeman .....	.....	.....	.....	.....	.....	.....	.....	.....
Globe .....	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000
Merchants' .....	3½ “	3½ “	7 “	52,500	3½ “	3½ “	7 “	52,500
New England .....	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000
Shoe and Leather Dealers' .....	.....	.....	.....	.....	.....	.....	.....	.....
Suffolk .....	4 “	4 “	8 “	60,000	4 “	4 “	8 “	60,000
		Average	6.51 2-23	\$299,500			Average	6.61 22-23 \$304,500

Table 3, Continued.

Names of Banks.	1836.—DIVIDENDS.					1837.—DIVIDENDS.				
	Capital.	Ap. 4.	Oct. 3.	Total.	Amount.	Capital.	Ap. 3.	Oct. 2.	Total.	Amount.
Boston .....	\$600,000	3½ p. c.	3½ p. c.	7 per cent.	\$42,000	\$600,000	3½ p. c.	3 pr. c.	6½ per ct.	\$39,000
Eagle .....	500,000	3 “	4 “	7 “	35,000	500,000	3 “	3 “	6 “	30,000
Freeman .....	.....	.....	.....	.....	.....	150,000	3 “	3 “	6 “	9,000
Globe .....	1,000,000	3 “	4 “	7 “	70,000	1,000,000	3½ “	3 “	6½ “	65,000
Merchants' .....	1,500,000	3½ “	3½ “	7 “	78,750	1,500,000	4 “	3 “	7 “	105,000
New England .....	1,000,000	3 “	4 “	7 “	70,000	1,000,000	4 “	3 “	7 “	70,000
Shoe and Leather Dealers' .....	.....	.....	.....	.....	.....	500,000	4 “	3 “	7 “	35,000
Suffolk .....	750,000	4 “	5 “	9 “	67,500	750,000	5 “	4 “	9 “	67,500
		5,350,000			Av. 7.30 30-199	\$363,250			Av. 7.00 5 6	\$420,500

Table 3, Continued.

Names of Banks.	1838.—DIVIDENDS.				1839.—DIVIDENDS.				
	April 2.	Oct. 1.	Total.	Amount.	Capital.	April 1.	Oct. 7.	Total.	Amount.
Boston .....	3 per ct.	3½ p. ct.	6½ per ct.	\$39,000	\$600,000	3½ pr. c.	3½ pr. ct.	7 per cent.	\$42,000
Eagle .....	3 “	3 “	6 “	30,000	500,000	3 “	3 “	6 “	30,000
Freeman .....	3 “	3 “	6 “	9,000	150,000	3 “	3 “	6 “	9,000
Globe .....	3 “	3 “	6 “	60,000	1,000,000	3 “	3 “	6 “	60,000
Merchants' .....	3 “	3½ “	6½ “	97,500	2,000,000	3½ “	3½ “	7 “	122,500
New England .....	3 “	3 “	6 “	60,000	1,000,000	3 “	3 “	6 “	60,000
Shoe and Leather Dealers' .....	3 “	3 “	6 “	30,000	500,000	3½ “	3½ “	7 “	35,000
Suffolk .....	4 “	5 “	9 “	67,500	1,000,000	5 “	3 “	8 “	67,500
		Average	6.55	\$393,000			Average	6.68 4-17	\$426,000



Table 3, Continued.

Names of Banks.	1840.—DIVIDENDS.				1841.—DIVIDENDS.				DIVIDENDS.	
	April 6.	Oct. 5.	Total.	Amount.	April 5.	Oct. 4.	Total.	Amount.	1832.	1833.
Boston .....	3½ pr. c.	3½ per c.	7 per ct.	\$42,000	3½ pr. ct.	3½ pr. ct.	7 per cent.	\$42,000	5 pr. ct.	6½ pr. ct.
Eagle .....	3 “	3½ “	6½ “	32,500	3 “	3½ “	6½ “	32,500	6 “	6 “
Freeman .....	3 “	3 “	6 “	9,000	3½ “	3½ “	7 “	10,500	....	....
Globe .....	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000	6 “	6 “
Merchants' .....	3½ “	3½ “	7 “	140,000	3½ “	3½ “	7 “	140,000	7 “	6 “
New England.....	3 “	3 “	6 “	60,000	3 “	3 “	6 “	60,000	5 “	6 “
Shoe and Leather Dealers' .....	3½ “	3½ “	7 “	35,000	3½ “	3½ “	7 “	35,000	....	....
Suffolk .....	4 “	4 “	8 “	80,000	4 “	4 “	8 “	80,000	6 “	6½ “
		Av.	6.79 7-27	\$453,500		Av.	6.81 13-27	\$460,000		

Table 3, Continued.

Names of Banks.	DIVIDENDS.									
	1834.	1835.	1836.	1837.	1838.	1839.	1840.	1841.	Total.	Amount.
Boston .....	7 pr. ct.	7 pr. ct.	7 pr. ct.	6½ pr. ct.	6½ p. c.	7 pr. ct.	7 pr. ct.	7 pr. ct.	66½ per cent.	\$399,000
Eagle .....	5 “	6 “	7 “	6 “	6 “	6 “	6½ “	6½ “	61 “	305,000
Freeman .....	....	....	....	6 “	6 “	6 “	6 “	7 “	31 “	46,500
Globe .....	6 “	6 “	7 “	6½ “	6 “	6 “	6 “	6 “	61½ “	615,900
Merchants' .....	7 “	7 “	7 “	7 “	6½ “	7 “	7 “	7 “	68½ “	886,250
New England.....	6 “	6 “	7 “	7 “	6 “	6 “	6 “	6 “	62 “	620,000
Shoe and Leather Dealers' .....	....	....	....	7 “	6 “	7 “	7 “	7 “	34 “	170,000
Suffolk .....	8 “	8 “	9 “	9 “	9 “	8 “	8 “	8 “	79½ “	643,750
								Ag. av.	66.63 177-221	\$3,685,500

Table 3, Continued.

Names of Banks.	Years.	Dividends over interest.		Average rate of dividends per an.	Total interest.		Aggregate capital.
			Amount.		Pr. ct.	Amount.	
Boston .....	10	6½ per ct.	\$39,000	6.65 per cent.	60	\$360,000	\$6,000,000
Eagle .....	10	1 “	5,000	6.05 “	60	300,000	5,000,000
Freeman .....	5	1 “	1,500	6.20 “	30	45,000	750,000
Globe .....	10	1½ “	15,000	6.15 “	60	600,000	10,000,000
Merchants' .....	10	8½ “	113,750	6.81 19-26	60	772,500	12,875,000
New England.....	10	2 “	20,000	6.20 “	60	600,000	10,000,000
Shoe and Leather Dealers' .....	5	4 “	20,000	6.80 “	30	150,000	2,500,000
Suffolk .....	10	19½ “	156,250	7.92 4-13“	60	487,500	8,125,000
	Average	6.67 13-221	\$370,500	Av. 6.70 130-221		\$3,315,000	\$55,250,000

[Conclusion next number.]

A Heavy Fall of Snow.

The Laporte (Indiana) Whig of the 29th ultimo says: "Snow commenced falling in this place on last Saturday, for the first time this fall. Although a large amount melted as fast as it fell, it covered the earth to the depth of several inches. Sixteen miles east of here it was over two feet deep; and at Niles, Michigan, we understand it was over three. It is supposed that it would have been five feet deep at that place if the ground had been frozen. The pressure upon the roofs of the houses was so great that several of them were broken in by it."

Brushes.

The most extensive Brush manufactory in New England is that of Stratton, Coolidge & Co. No. 22 Exchange street,

Boston. They give regular employment to about a hundred hands, and manufacture the best style of brushes of almost every description, and particularly those used in factories. We have for several years used type-brushes from this establishment, and as we never before could find an article which would do a fourth part of the service, we give this notice for the benefit of our brethren of the type. Their horse-hair clothes brush, which may be found at most of the hardware stores, is an elegant and useful article—never injuring the finest clothes or the nicest beaver.

Speaking of raisins, leads us to mention as a curious fact, that the new Smyrna Raisins were received this fall, at Cincinnati, via New Orleans, a thousand miles more or less from the seaboard, earlier than they were at Boston or New York. [Cincinnati Republican.

### The Congress Burial Ground.

The following account of one of the most interesting to strangers of all objects within the limits of the city of Washington, appeared some time ago in the *Baltimore Sun*, whence we are sure we shall gratify many of our readers by transferring it to our columns :

About a mile and a quarter eastward from the Capitol, on the northern banks of the "Anacostia," may be seen the "Washington Parish Burial Ground," more generally known, however, in later years, as the "Congress Burial Ground," a title derived, doubtless, from the circumstance of a portion of it being reserved especially for the interment of members of Congress and other officers of the Government.

The project for establishing the celebrated repository of the dead, (for it has been an object of universal admiration with the thousands who have visited it since its completion,) was conceived and carried into effect on the 4th of April, 1807, by a few of the respectable inhabitants of the eastern part of the city, of various denominations, who, in a most commendable spirit, determined that the price of lots should be fixed so low, that individuals in humble circumstances could avail themselves of equal advantages with their more prosperous neighbors in the purchase of the ground. It was further agreed that, as soon as the little association who procured the "site," should be reimbursed, for moneys expended in the purchase and improvements, the entire property should then be placed under the direction and control of the Protestant Episcopal Church, the Vestry of which was an incorporated body.

Among the original signers to the subscription paper, I perceive the names of Messrs. Henry Ingle, George Blagden, Griffith Coombe, Samuel N. Smallwood, Dr. Frederick May, Peter Miller, John T. Frost and Commodore Thomas Tingey, who, together with many others, distinguished at that period for their enterprising spirits, made liberal investments with a view to promote the philanthropic object.—Perhaps the first interment made was the body of the Hon. Uriah Tracy, a distinguished member of the United States Senate, from Connecticut.

The site is located due north and south ; it is 478 feet in length and 413 in breadth, with a gentle slope towards the south. The ranges of lots are designated, north and south, by the letters of the alphabet, and east and west by numbers. The grounds are handsomely laid out in grass plats, which intersect, at convenient spaces, with gravelled walks and ornamented with shrubbery and trees of various kinds, such as the willow, cedar, American poplar, &c. and the whole is enclosed by a substantial brick wall about seven feet high.

For the accommodation of those who have no vault, and wish to defer the permanent interment of their deceased friends, a public vault has been erected, the use of which can be obtained for a very moderate consideration.

What a train of reflections is started, on casting the eye over the many instances of mortality indicated by the numerous monuments here erected ! The bodies of no less than fifty-four members of Congress quietly repose within these walls ; and, on a hasty perusal of the inscriptions on the little monuments which cover them, I learn that they are gathered from almost every State and Territory in the Union. My own recollection of some of them reminds me that they were of all political parties—men of intrinsic, sterling merit, and splendid talents—some of whom were justly considered an honor and ornament to their profession, and whose eloquence never failed to enchain and transport the listening multitudes in the Halls of our National Legislature.

"The applause of list'ning senates to command,  
The threats of pain and ruin to despise,  
To scatter plenty o'er a smiling land,  
And read their history in a nation's eyes,  
Their lot forbade."

As I stood and contemplated the solemn scene before me, and in view of the fact that several of these tenants of tombs had been summoned away after only a few days' illness, and others scarcely with an hour's notice, how deeply did I sym-

pathize with the bereaved friends at a distance, who had been thus deprived of the melancholy pleasure of administering to them in the closing hours of life, or of paying the last tribute of respect to their remains. I aroused myself from my reverie by this involuntary exclamation : Despond not, thou child of genius, thou devoted patriot, nor let the lofty flight of thy buoyant spirit be retarded ; thy name has not been swept away into oblivion. When thy friends and countrymen from afar shall make a pious pilgrimage to this hallowed spot, the reminiscences of the past shall flit o'er their minds, and the tear of friendship will be shed to thy memory !

Passing on, I noticed a splendid monument erected to the memory of Elbridge Gerry, Vice President of the United States, who died suddenly on his way to the Capitol, as President of the Senate, on the 23d of November, 1814, aged seventy-six years ; another to the memory of George Clinton, Vice President, formerly of New York, in the seventy-third year of his age, "a soldier and statesman of the Revolution." This announcement, though brief, speaks volumes. A third to the memory of Major General Jacob Brown, aged sixty-five years. The services of this gallant officer are too fresh in the recollections of those at all conversant with the history of the late war to render it necessary for me to recount them here. This monument is surmounted by a broken shaft, strikingly emblematical of the summary manner in which he was stricken down in the midst of his honor and usefulness.

A monument, a plain shaft, of novel taste, but very neatly executed, to the memory of Capt. John W. McCrabb, of the U. S. Army, who died in St. Augustine, Florida, November 6, 1839, aged 29 years ; erected by his devoted wife.

Pursuing my ramble, my eye suddenly rested on the word Baltimore ; I hastened to the spot, and learned that the remains of Mrs. Pechin, the amiable and accomplished consort of Col. Wm. Pechin, of your city, were resting there.

A plain tomb stone indicates where the body of the late gallant Commodore Daniel Patterson lies. He died in the 54th year of his age.

A neat and beautiful monument, in memory of Frederick Rodgers, son of the gallant Commodore, "who was drowned near Norfolk, on the 5th of April, 1838, making noble efforts to save Midshipmen Slidell and Harrison, his friends and companions in life and in death." His age was 17 years and 1 month. Possessed of feelings of the purest philanthropy and softest benevolence, this young officer, with a magnanimity which knew no danger, lost his own life in an unavailing attempt to save the lives of his comrades. Congress should have erected over this grave one of the noblest monuments, and the inscription should have been in letters of gold.

These are but few of the many evidences of esteem and affection recorded in this burial place. The tomb stones, generally, are very handsomely executed, and display beautiful inscriptions. In one corner of the ground, however, I discovered a grave, without a stone to indicate the name of the person whose remains were reposing there. Perhaps some poor individual was buried there, whose best friend was ashamed to acknowledge him, and who instead of making even a decent display over the neglected grave, preferred to steal there at midnight, and shed a clandestine tear to his memory ; even if such is the case, the reflection is consoling that, in the court of Heaven, this poor, neglected individual may be more highly estimated than some who have possessed immense wealth, and who have glittered, like the gaudy butterfly, in the sunshine of an hour.

[*National Intelligencer.*]

#### Texas Cotton.

The Hon. A. Hutchison, in a letter to His Excellency, M. B. Lamar, President of the Republic of Texas, describes at some length, a species of cotton found in the western part of Texas, which he has been pleased to term the Silk Cotton, owing to its superior fineness and whiteness. It is said to be of luxuriant growth, and is generally regarded as of the South Sea variety.

## Circular to Officers of the Customs.

TREASURY DEPARTMENT, }  
First Comptroller's Office, Nov. 8, 1841. }

Sir:—The following recent decisions of this office are communicated for your information and government:

*Canvass*, called *sampler canvass*, to continue to pay twenty-five per centum ad valorem, as a manufacture of flax.

*Cotton Lace*, having paid twelve and a half per cent. ad valorem, under the act of 22d May, 1834, section 1, cl. 5, to pay twenty per cent. ad valorem, under the 1st section of act of 11th September, 1841.

*Cotton Bagging*, without regard to the weight or width, and of whatever material composed, is liable to the duty of three and a half cents per square yard, under the act of 14th July, 1832, section 2, cl. 14. *Gunny cloth*, if suitable for, and intended to be applied to the uses of cotton bagging, is therefore to continue to be charged with that duty.

*Marking Goods*.—On the importation of merchandise which, having previously to the operation of the acts of 14th July, 1832, and 2d March, 1833, paid a specific rate of duty, has since been exempt from duty, and which now pays a duty of twenty per cent. ad valorem under the act of 11th September, 1841, the rate of duty payable is to be branded or marked as heretofore directed; but when the importation is of articles which bear the same general name, but are of various qualities and values, as *raisins*, the specific or distinctive character of the article being branded or marked on the package, &c., will render it unnecessary to add the rate of duty. Of *sugars*, divided into two kinds only, of *white* and *brown*, the white only need be marked with its distinctive character, "white," as all sugars not so distinguished, if subsequently offered for exportation, are to be considered as brown; and on the exportation of white sugars the same careful examination is to be made by the Surveyor, as is now required upon their importation.

After the 31st December next, when another reduction of duty is to take place, all importations of such goods of the class first before mentioned, as are permitted to pass into the possession of the importers, retaining their right to debenture, are to be marked in strong and legible characters, with the year of their importation, as "1842." Wines and liquors necessarily remaining in public store from their landing on importation to their lading for exportation, to secure the benefit of drawback, need not be so marked.

The following list comprehends most of the articles to be marked as directed: almonds, camphor, crude or refined, caseia, cinnamon, cloves, cocoa, currants, figs, ginger, mace, nutmegs, pepper, black, prunes, pimento, raisins, Sail Duck, including Hollands, Ravens and Russia; sugars, wool, unmanufactured, the value whereof at the place of exportation shall not exceed eight cents per pound.

With regard to the officers to be employed in the marking, it is to be observed that the Deputy Inspectors of the revenue known as *markers* are to be charged with this duty in all cases in which the business of the port will not allow its performance by the Inspectors of the customs; but, to avoid unnecessary expense to the United States, when such duty can be performed by such Inspectors without detriment to the regular despatch of other necessary duties the requisite number of those officers will be detailed and deputed for the service, by the Surveyor of the port as officer of inspection.

*Musical Instruments*, principally of wood, were liable under the act of 27th April, 1816, section 1, cl. 5, to a duty of thirty per cent. ad valorem, and the act of 14th July, 1832, sec. 2, cl. 21, declaring that they should continue to pay the then rate of duty, such musical instruments composed principally of wood, as flutes, fifes, bassoons, clarionets, organs, piano-fortes, harps, &c., remain liable to that duty. To this list will be added *accordions*, and all other musical instruments composed chiefly of wood; if chiefly of brass or copper, they will pay twenty-five per cent. ad valorem; if of silver or ivory twenty per cent. ad valorem, the former having previously paid twelve and a half, and the latter fifteen per cent. ad valorem; of leather they will pay thirty per cent. ad valorem. Musical instruments are not to be taken as toys, although

imported under that designation, except in cases in which the United States' appraisers shall report them as *toys*, or articles heretofore unenumerated, in contradistinction to musical instruments or manufactures of certain material or materials. *Strings* for musical instruments, having been free under former laws, will pay 20 per cent. ad valorem, under the recent law.

*Paints, Painters' Colors and Putty*.—By the act of 27th April, 1816, section 1, cl. 6, there is assessed on *ochre*, dry, one cent per pound; in oil, one and a half cents per pound. As the term *ochre* is here used in the law in its most comprehensive sense, it has been uniformly understood by this office, to include all ochry earths used in the preparation of painters' colors, and the duty chargeable on ochre has therefore been exacted on articles invoiced, or denominated in the language of trade, as *red ochre*, *yellow ochre*, *red earth*, *brown earth*, *Spanish brown*, *powdered red iron stone*, or *oxide of iron*, *venetian red*; to which list must be added, all painters' colors of whatever hue, dry or in oil, in which ochre, or ochry earth, is an ingredient, unless combined with a component material bearing a higher rate of duty, in which case the article must be charged with that higher rate; or when the specific rate of duty shall be less than twenty per cent. on the value, in which case the article is to be charged with twenty per cent. ad valorem under the recent law. *Whiting and Paris white*, by the act of 27th April, 1816, sec. 1, cl. 6, are charged with the specific duty of one cent per pound. As they are subject to this duty equally when dry or in oil, it follows that one cent per pound is to be charged upon all articles with whiting or Paris white as a component material, and with no other ingredient bearing a higher rate of duty, as in the articles *black paint*, composed of whiting, oil and lamp-black; and *putty*, composed of whiting and oil: when the specific duty is less than the duty of twenty per cent. ad valorem, the article will of course be charged with the latter rate of duty.

The act of 19th May, 1828, section 1, cl. 2, imposes a specific duty of five cents per pound on *red* or *white lead* dry or ground in oil; and the act of 14th of July, 1832, section 3, provides that nothing contained in that act shall be so construed as to reduce the duty upon *red lead*, *white lead*, or *litharge*.

In conformity with these provisions of law, *kennitz white*, and *venetian white*, being carbonate of lead in oil, and *black paint*, composed of carbonate of lead in oil, with black coloring material, have been charged under the direction of this office with the duty of five cents per pound; which duty it is proper to charge on all similar articles having carbonate of lead as a component material; *braganza green*, having oxide of lead as a component material, erroneously admitted on one occasion at the duty of one and a half cents per pound, is to be charged with five cents per pound.

It is hoped that a proper application of these general rules, in the due examination of the several importations of painters colors, will lead to an accurate discrimination and uniform assessment of duty at the several ports.

*Plate, Old Silver*, fit only to be re-manufactured, the United States appraisers reporting the fact to the Collector, and he concurring, to be admitted free as silver bullion, under the act of 11th September, 1841.

*Sugars, Refined*.—It has been made a question, upon the exportation of Refined Sugars for benefit of drawback, the exportation being previously to the passage of the act of 11th September, 1841, but the debenture being payable after that date, whether the former or present allowance of drawback is to be made. It is the opinion of this office that the act of 11th September, 1841, section 3, reducing the drawback on Refined Sugar, applies exclusively to sugars *exported* after the passage of said act, and that therefore the former rate of five cents per pound is to be allowed on all sugars refined from foreign material and exported previously to the passage of the act.

*Suspenders*, composed in part of *leather*, to pay thirty per centum ad valorem, under the provision of the act of 11th September, 1841, leather being the component material bearing the highest rate of duty.

*Willows*, partly manufactured or prepared for making wicker baskets, formerly admitted free as unenumerated articles, to pay twenty per centum ad valorem under the act of 11th September, 1841.

Respectfully,

J. N. BARKER,  
*Acting Comptroller.*

### The Grogan Outrage.

*Copy of a letter from Governor Jenison to the Acting Governor of Canada.*

SHOREHAM, VT. Sept. 29, 1841.

Sir—Depositions of respectable citizens of this State have been placed in my hands, showing that a gross outrage was committed in the town of Alburgh, in this State, on the morning of the 20th instant, by a party of armed men, supposed to be volunteers or soldiers in Her Majesty's service—a part of Capt. Jones' Light Dragoons then stationed at Missisquoi Bay. It appears that between two and three o'clock on the morning aforesaid, from twelve to twenty persons, a part of them, at least, in the uniform of said corps, forcibly entered the dwelling house of one William Brown of said Alburgh, about three miles from the Province line, rushed into the room where said Brown and his wife were in bed, presented a musket at Brown and threatened to shoot him if he did not remain quiet—others of the party entered an adjoining room, and seizing one James W. Grogan, severely wounding him, dragged him into the street with no clothes on but his shirt, thrust him into a wagon, and forcibly conveyed him, naked as he was, to Clarenceville in the Province of Canada.

Circumstances leave not a doubt but that this brutal attack upon defenceless individuals, and unprovoked aggression upon the sovereignty of a neighboring government, was winked at, if not planned and directed, by an officer in Her Majesty's service.

Respect for the authorities of the government of Canada forbids the belief that they will justify this high handed and atrocious act of a subordinate officer, and I trust that Grogan, who is said to be by birth an American citizen, if not immediately released, will at least receive humane treatment.

I make this communication under the expectation, that, whatever may be the character of Grogan or of his offences against the Government of Canada, all proceedings against him will be suspended, in consideration of the unjustifiable manner of his arrest.

I forbear to comment on the consequences which will be likely to result from repeated aggressions of this character, and remark, in conclusion, that the facts will be communicated to the General Government at Washington, that such measures may be taken as the rights and honor of our respective governments demand.

I am, sir, with great respect,

Your Excellency's ob't serv't,

S. H. JENISON,  
*Gov. Vermont.*

Sir R. JACKSON,  
*Acting Gov. of the Canadas.*

*Copy of a letter from the Acting Governor of Canada, to Governor Jenison.*

GOVERNMENT HOUSE, Kingston, ?  
6th October, 1841. }

Sir—I have the honor to acknowledge the receipt last night of your Excellency's despatch of the 29th ultimo, relative to an alleged violation of the territory of the State of Vermont, by the arrest within it by some of Her Majesty's subjects of one Grogan, accused of having committed certain crimes within the Canadian frontier.

Immediately on receiving intelligence of this transaction, and long before your Excellency's despatch reached me, I had directed an inquiry to be instituted to ascertain

1st—Whether the arrest of Grogan had been made within the territory of the United States.

2d—Whether it was made as stated by persons in Her Majesty's service or by British subjects.

And in order to avoid delay I at the same time directed the Law Officer of the Crown at Montreal, if it should be shown that Grogan had been illegally arrested, at once to take the necessary legal steps for setting him at liberty. I have not yet received a report in answer to these instructions, but I have every reason to expect that no delay will take place. In the meantime your Excellency may be assured that if the transaction be as represented, I shall take effectual means to mark my disapprobation of the conduct of those concerned in it—and more especially to visit with the utmost rigor any officer or soldiers in Her Majesty's service to whom a participation in such an outrage may be brought home.

I beg your Excellency to believe that it is the desire of the British authorities to avoid all proceedings inconsistent with the relations subsisting between Great Britain and the United States, and the duties which as countries in amity they owe to each other. The events of the last few years have produced an irritation on both sides of the frontier which it is not always possible to control; but it will be our endeavor to repress and restrain that irritation as much as possible, and in the execution of this task I feel sure that I shall receive from your Excellency and the other authorities of the United States, that co-operation without which my efforts could not be successful.

I have the honor to be, sir,

Your Excy's most ob't serv't,

R. JACKSON.

His Excellency, S. H. JENISON.

*Copy of a letter from the Acting Governor of Canada to Governor Jenison.*

GOVERNMENT HOUSE, Kingston, ?  
6th October, 1841. }

Sir—Since I addressed to your Excellency my despatch of this morning, I have received from the Law Officer of the Crown at Montreal, a report, from which it appears that the evidence which they had obtained on the subject proved that Grogan's arrest took place, as was alleged, within the territory of the United States. In conformity, therefore, with their instructions they had taken steps for setting Grogan at liberty, and conveying him to the frontier in the neighborhood of which he was arrested. I am informed that Grogan left Montreal accordingly on the 4th inst.

I beg to assure your Excellency that I shall nevertheless continue the investigation which I have directed, and if the information conveyed to your Excellency that officers or soldiers in Her Majesty's service were implicated in this affair, should prove correct, I shall not fail to visit the offence with the utmost rigor.

I have the honor to be, &c.

R. JACKSON.

His Ex'y, S. H. JENISON.

[*Vermont Watchman.*]

### The Brave Old Oak.

The largest Red Oak Tree in North America, says a correspondent of the Natchitoches Herald, can be seen on the plantation of W. Smith, Esq, eighteen miles from Natchitoches, on the road leading to Opelousas. The majestic Oak stands in the midst of a rich and heavy bottom, on the Bayou St. Barh. Two feet from the ground it measures *forty-four* feet in circumference; and at six feet, *thirty-two* feet. The trunk appears sound and healthy, and its height, to the branches, is from fifty to sixty feet.



**Public Meeting—Frigate Raritan.**

At a large and respectable meeting of the citizens of Philadelphia, without distinction of party, held pursuant to public notice, at the County Court House, at the corner of Sixth and Chesnut streets, in the city of Philadelphia, on the evening of Wednesday, the 10th inst. Gen. A. M. Prevost, was appointed President, and Thomas D. Grover and James Gregory, Vice Presidents for the First District; Col. John Swift and J. W. Tyson, for the Second District; and Morton McMichael and John Naglee, for the Third District; and William D. Kelley, Joel Cook, and S. H. Gillingham, Esqs., Secretaries.

The meeting being organized, on motion of Col. James Page, a committee of five were appointed to draft a preamble and resolutions expressive of the sense of the meeting. The committee, consisting of the following gentlemen—Col. James Page, Josiah Randall, Col. J. J. McCahen, William A. Crabbe, and William English, after a short absence, reported the following, at the hand of their Chairman, who prefaced them with a series of remarks.

Whereas, It is the true policy of all governments "in time of peace to prepare for war;"

And Whereas, the present aspect of our foreign affairs is such as imperiously calls upon our constituted authorities at once to place the country in an attitude of defence;

And Whereas, the Navy has always been regarded by the American people with pride and pleasure, and is justly considered the right arm of the nation; Therefore, be it,

Resolved, That the recent measures of the government, having for their object the increase of our naval strength with a view to the defence of the seaboard, meet with our decided approbation.

Resolved, That while we rejoice in perceiving that orders have been given for the finishing and launching of ships of war now on the stocks at other Naval Stations, we regret to find that nothing has been done with regard to the frigate Raritan, under cover at our Navy Yard, where she has been doomed ingloriously to rest for a space of 21 years, while vessels of her class begun at the same time, and many commenced since, have been permitted to glide into their destined element, to add to the glory of the "Stripes and Stars."

Resolved, That it would seem to be true economy to direct the finishing and launching of this noble ship, whose model is said to be a perfect one; as in a few weeks the mechanics now employed at the yard will be without work for the winter, and at a time when the material necessary to complete the frigate is on hand, the more especially as her frame has suffered so greatly from decay, that in the opinion of competent judges the mere replacing of the rotten timber would give employment to a number of men.

Resolved, That the order to build two small steam frigates will furnish no immediate employment to the numerous hands now engaged at the yard, as the materials out of which they are to be built are yet to be delivered, and a period of six months and probably more must elapse before the keel of either can be laid.

Resolved, That while the ship builders of Philadelphia are second in point of reputation to those of no other port in the Union, as has been established beyond dispute by the specimens of naval architecture which they have built and set afloat; and the station itself presents the advantages of convenience, safety and economy, we respectfully call upon the Navy Department for such a share of its patronage as these claims justify us in demanding, and trust that it will not be denied.

Resolved, That a committee of five including the Chairman, be appointed, with instructions to forward a copy of these resolutions to the President of the United States, the Secretary of the Navy, and the Board of Navy Commissioners, and to hold such correspondence with the proper authorities as may be necessary in their opinion to place this subject in its true light, and to secure for this station the consideration to which it is justly entitled.

The resolutions were unanimously adopted.

Mr. Wm. H. Knowles moved that the committee on

resolutions be the committee of correspondence; which was carried.

The meeting was then addressed by several gentlemen.

Adjourned.

A. M. PREVOST, President.

William D. Kelley,

Joel Cook,

S. H. Gillingham.

} Secretaries.

**Finances of New Jersey—Treasurer's Report.**

*To the Honorable the Legislative Council and General Assembly of the State of New Jersey.*

By a law passed in 1838, it is made the duty of the Treasurer immediately after his accounts shall be audited by the committee appointed for that purpose, to submit to the Legislature a balance sheet exhibiting the general amount of expenditure, the amount of receipts, and the sources whence they have been received; and the indebtedness of the State, how and where; the amount of the school fund, and how invested; the amount of bank tax; and the sum applied to common schools, and how disposed, &c. In obedience to that act I have the honor to present the accompanying statements.

By these it will appear that the receipts into the Treasury, during the past year, amount to the sum of one hundred and sixteen thousand three hundred seventy-six dollars and ninety-four cents. Of this sum twenty-seven thousand dollars have been applied to the payment of temporary loans; twenty-two thousand four hundred sixteen dollars have been paid on account of the State Prison—viz: seven thousand for salaries of the officers, ten thousand five hundred for repairs and improvements in the buildings, heating apparatus, &c., and five thousand for transportation and costs on convictions. (This last item it will be recollected, was formerly paid by the several counties in which the convictions were had, and is an increased burthen upon the treasury.) Sixty thousand dollars have been applied to the ordinary expenditures of the State Government; leaving a balance in the treasury on deposit, of about seven thousand dollars.

The necessity of making temporary loans to meet the current expenses of the Government, it will be recollected, arose from the omission to raise a tax during the year 1837—a matter much to be regretted, on account of the embarrassment occasioned to the treasury, and the consequent necessity of having recourse to such loans to meet the necessary expenditures of the year until the taxes are paid.

Should, however, the balance remaining in the treasury, together with the tax of thirty thousand dollars which will be paid during the ensuing months of December and January, be applied to the payment of temporary loans, (the purpose for which the tax was ordered to be raised,) the difference between the receipts into the treasury during the year and the expenditures, will be about four thousand dollars, including interest on loan due school fund, which remains unpaid.

It will also be observed, that the balance of State funds after paying all claims, will be a little over eight hundred and ninety-two thousand dollars, seven hundred and seventy-six thousand of which amount is unproductive to the State, being loaned to the several counties, the interest annually arising therefrom to be applied to their own use and benefit.

The proceeds of the school fund for the present year will amount to about thirty seven thousand dollars, thirty thousand of which has been distributed among the several counties of the State, in conformity with the apportionment made by the trustees of that fund. Two hundred and eighty-one dollars have been paid on account of incidental expenses; leaving the total balance of the school fund at about three hundred and thirty-six thousand dollars, including about six thousand dollars of taxes due from banks, that may be considered as doubtful, and also eleven thousand on deposit in banks.

It is a subject of congratulation in the present embarrassed condition of the monetary affairs of the country, that we are free from a public debt; and that instead of imposing heavy taxes upon the people to meet the interest upon large public debts, and the annual support of our State Government, as many of the other States are compelled to do; we

have the satisfaction of knowing that the revenue arising from our public funds and other sources are sufficient to support our common school system, and relieve the people from more than one half of the annual expenses necessary for the support of the Government.

All of which is respectfully submitted.

ISAAC SOUTHARD.

*Treasurer of New Jersey.*

Trenton, November 8th, 1841.

### The Steamer Kamschatka.

*Southampton, (Eng.) Oct. 21, 1841.*

My Dear Sir—I promised you, at parting, some account of the first voyage of the Kamschatka; the circumstances attending it have been of an unusual character, and as she is the first American built war steamer that has crossed the Atlantic I shall proceed to give you a somewhat detailed account.

I regretted that there was not sufficient time to warm the engines and allow our friends who accompanied us to Sandy Hook, an opportunity of judging of the speed of the vessel: but very soon after you left us we were going nine knots and continued to do so regularly for two days, occasionally going up to ten knots with every prospect of a speedy run across the ocean.

On Saturday night, Oct. 2d, it commenced blowing very heavily from E. N. E. With a head wind the boilers make any desired quantity of steam; we carried 12 lbs., made 10 revolutions, and went  $5\frac{1}{2}$  knots dead to windward.

Sunday morning, Oct. 3d—Gale increasing. Sunday night carried away side houses forward of wheels—still going 3 knots to windward.

Monday Morning Oct. 4th—wind suddenly ceased, leaving us with a heavy sea, which tried the engines more than the blow.

Tuesday morning, Oct. 5th—At 9 A. M. commenced blowing harder than ever—increasing all day, at 8 P. M. it was blowing a hurricane. At that time I was working the engines with 14 lbs. of steam, making 9 revolutions.

Captain Von Shantz thought it best not to risk the engines with so great a strain, and at midnight the ship was laid to, placing canvass bags in the rigging, and reducing the speed of the engines to 6 revolutions.

In this manner we rode out the blow, which lasted until the next day. During all this time we never shipped a sea, or lost any thing but our houses on the guards.

That you may not suppose that my inexperience has exaggerated the violence of the wind and sea, I will give you an example of its force.

The seas were so high that our trysails were becalmed between them, and when the roof of our side house on the after guard was blown off, it lodged twenty feet from the deck in the mizen shrouds. It required many hands to get it down, and it blew about on the deck very much like a large sheet of paper on the ground in a gusty day. The quarter boat, on the windward side, had its bottom pressed in by the force of the wind, and the iron davits to which it was suspended were bent inboard.

The wind continued to blow gales, from nearly every quarter for the next four days.

October 10th—Heavy gale from W. N. W. As it was now impossible to make a short voyage, or to avoid stopping in England for coals, as we wished to carry out some of our Anthracite to Russia, Captain Von Shantz determined to carry sail without steam for several days, that he might make a full report upon his arrival, of her general capacities as a war steamer, of which her speed and working under sail are important items. Accordingly, from the 11th to the 14th, the ship was tried under sail in every possible way—before the wind, close hauled, &c.; time of connecting and disconnecting engines was noted, altering buckets, &c. &c.

To show you her sailing qualities—from 12 o'clock October 12th to 12 o'clock October 13th, 197 miles: next day at 12, 176 miles—fair wind both days. We had no sails bent but fore and maintop sail and fore and main topgal-

lantsail, although the wind would have allowed carrying standing sails.

On the morning of the 15th we again began to steam—

15th	12 o'clock	16th	12 o'clock	dist. run	240 miles.
16th	do	17th	do	do	255
17th	do	18th	do	do	246
18th	do	19th	do	do	200

Commenced blowing very heavy, gale from north. Made the Lizard at 8 P. M.—lay to for a pilot off Plymouth. We came through the channel this day, blowing fresh—we made 14 revolutions and passed every steamer we saw.

We have had but one day of fine weather since we left New York, and have never had a smooth sea after the first 12 hours.

By the above memoranda from our log book, you will see that the speed of the ship, either under steam or sails, will equal all that was expected of her. Of her machinery I can only say, that it is just as perfect as when it left New York. At no time have the engines complained—nothing has broken, nothing is strained.

I had intended to send you for publication some memoranda, as to the performance of these engines, in the particulars wherein they differ from those of English construction; but as my letter has reached so great a length, I shall defer it until after my arrival at St. Petersburg.

Very truly, yours' &c.

GEORGE L. SCHUYLER.

J. Watson Webb, Esq.

*New York Courier & Enquirer.*

### Old Times.

One of the oldest mansions in this city now standing is No 1 Broadway, occupied by F. Prime, Esq. It was built by Captain Kennedy, son of the Earl of Cassilis, on a lot purchased of the Watts family long before the revolutionary war. When this city was taken possession of by the British army, Sir William Howe made it his head quarters, and it was here that many deep laid plans were arranged for the destruction of the American army and the capture of General Washington. Subsequently during the war this mansion was occupied by General Sir Henry Clinton and Sir Guy Carleton.

At the evacuation of the city, Captain Kennedy resumed the possession. He lived in it some years when he delivered it up to Mrs. Loring. Some years afterward Abijah Hammond, Esq., bought it. It was during a series of years occupied by Mrs. Bradish, and was some twenty years since sold to Mr. Prime, who enlarged and modernized it. The house is still in the possession of the Prime family.

*Commercial Advertiser.*

### Important Decision.

In the New Orleans Bulletin of the 28th ult., we find the following decision, which was given in the United States Court in that city, by Judge Buchanan, a few days since:

*William Wallis vs. The State.*—A seaman composing one of the crew of a French private vessel in the port of New Orleans.

This case came up on a position for a writ of habeas corpus, praying a release from confinement.

An application was made by the captain of the vessel to the Hon. Gallien Preval, an Associate Judge, to commit to prison the said seaman, who was charged with having deserted said vessel on the 9th ult. Upon these proceedings, the seaman applied to the Hon. A. M. Buchanan, the Judge of the 1st Judicial District, for a writ of habeas corpus which was made returnable on the 25th instant. Judge Buchanan, with his usual ability, and profound knowledge of the maritime laws, decided that it is necessary by the treaty of France and the United States, that the application to arrest a deserter from any vessel of the former, should be made by the Consul, or in his absence, the Vice Consul, before any warrant should be issued to arrest a deserter. The Consul being the representative of the nation, is the only proper person authorized to claim the interposition of our tribunals in causing an arrest of their deserting seamen.

## Schools in Massachusetts.

We have received the report of the Secretary of the Board of Education, (Horace Mann, Esq.) it is a document of 328 pages and furnishes in detail reports of the condition of the public schools in each county. Below is an aggregate of the whole State,

No. of towns which have made returns .	304
Population, ( <i>U. S. Census</i> , 1840.)....	734,258
Valuation, ( <i>State</i> , 1840,) .....	\$299,057,534 31
No. of public schools.....	3,103
No. of scholars of all ages in all the schools,	
Do do do in summer	131,761
Do do do in winter.	155,041
Average attendance in the schools,	
Do do do in summer	96,892
Do do do in winter	116,308
No. of persons between 4 and 16 years of age.....	184,392
No. of persons under 4 years of age, who attend school.....	7,843
No. over 16 years of age who attend school.....	9,052
Average length of the schools in months and days.....	7 16
No. of teachers, (including summer and winter terms	
Do do do Males	2,491
Do do do Females	4,112
Average wages paid per month, including board,	
Do do do To Males	\$33 80
Do do do To Females	\$12 81
Average value of board per month,	
Do do do Of Males	\$8 62
Do do do Of Females	\$5 85
Average wages per month, exclusive of board,	
Do do do Of Males	\$25 18
Do do do Of Females	\$6 96
Amount of money raised by taxes for the support of schools, including only the wages of the teachers, board and fuel	\$491,615 23
Amount of board and fuel contributed for public schools	\$37,743 34
No. of incorporated academies.....	80
Aggregate of months kept.....	775½
Average No. of scholars.....	3,825
Aggregate paid for tuition.....	\$56,538 89
No. of unincorporated academies, private schools, and schools kept to prolong common schools.....	1,383
Aggregate of months kept.....	8,540½
Average No. of scholars.....	51,794
Aggregate paid for tuition.....	\$259,123 87
Amount of local funds.....	\$325,852 02
Income from same.....	\$15,306 20
Income of surplus revenue appropriated to schools.....	\$9,529 48

## Splendid Meteor.

On Wednesday, November, 10, a splendid meteoric fireball was seen by several persons in this city. It was superior in brilliancy to the planet Venus, and as it sailed across the sky, resembled a glowing mass of burning metal. It appeared, to one observer, to present a distinct nucleus, three or four minutes in diameter. The time of its flight was between two and three seconds. When first noticed it was near the *Pleiades*, and about a half degree below; it moved in a path nearly parallel to the horizon, somewhat inclined downwards, and suddenly disappeared, when midway between the stars *beta* and *theta Ceti*. During its whole track it threw out brilliant scintillations, of a beautiful blue color, with a slight tinge of red. Most of this train of sparks expired in a few seconds, but a portion of it, about ten degrees long, near the head of the *Whale*, remained visible, with but little change of place, during the time not less than two and a half minutes, carefully noted. No report was heard by any of the observers.—*New Haven Herald*.

## Bank of Kentucky.

At a meeting of the Stockholders of the Bank of Kentucky, held in the Chamber of the Board of Trade, in the city of Philadelphia, Wednesday the 10th of November, 1841. Thomas P. Cope was appointed Chairman, and William Boyd, Secretary.

Col. Wm. Drayton offered the following resolutions, which were read, considered and adopted:

1st. Resolved, That the Schuylkill Bank of Philadelphia, in its transfers of stock of the Bank of Kentucky was the agent of that corporation, and is therefore legally bound to pay to it all the moneys which were received on account of such transfers.

2d. Resolved, That the bona fide purchasers or holders of the stock of the Bank of Kentucky, which was transferred as aforesaid by the Schuylkill Bank, have a just and legal claim upon the Bank of Kentucky for the stock thus transferred.

3d. Resolved, That the interests of the Stockholders in the Kentucky and in the Schuylkill Banks would obviously be advanced by a speedy settlement of the controversy existing between them, either by a suit at law or in equity, or by a submission of their differences to arbitration, or by an amicable adjustment or compromise between the parties.

4th. Resolved, That this meeting do authorize the committee of "five" to constitute an agent or agents with full power to represent and promote its interests at the next session of the Legislature of the State of Kentucky, according to the spirit and meaning of the foregoing resolutions, and that such agent or agents be instructed to consult and co-operate with any agency which may be appointed for the furtherance of similar objects by the Stockholders in the Bank of Kentucky residing in New York or any other State.

5th. Resolved, That the Stockholders in the Bank of Kentucky who are present, or whose interests are intended to be promoted by the prosecution of the objects of this meeting, do pay into the hands of a committee of two, now to be appointed, the sum of 12½ cents upon each of their shares, and that the amount thus collected be delivered to the committee of "five" to be by them appropriated to the expenses of the mission to the Legislature of the State of Kentucky, and to any other expenses which may be incurred in attending to the interests of the abovementioned Stockholders.

The following gentlemen were appointed a committee agreeably to the 5th resolution—Caleb Cope and Edmund Wilcox.

Signed,

THOMAS P. COPE, Chairman.

WILLIAM BOYD, Secretary.

It has been ascertained, from an average of many years, that the number of merchantmen wrecked annually, on the coast of England, amounts to upwards of five hundred; and the value of property lost, amounts to three millions sterling!

## Death of Bishop Moore.

The Richmond Inquirer announces the death of Bishop Moore of Virginia, at Lynchburg on Friday the 12th inst.

The UNITED STATES COMMERCIAL AND STATISTICAL REGISTER, is published every Wednesday, at No. 76 Dock street. The price to subscribers is Five Dollars per annum, payable on the 1st of January of each year. No subscription received for less than a year.—Subscribers out of the principal cities to pay in advance.

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## MESSAGE

OF GOVERNOR BAGBY OF ALABAMA.

*Gentlemen of the Senate  
and of the House of Representatives:*

Nothing is better calculated to illustrate the excellence and beauty of our representative system, than the recurrence of the seasons, and of events, by which the chosen representatives of a free people annually assemble, at the capitol of the State, for the purpose of making suitable returns for the confidence reposed in them, by the enactment of wise and salutary laws, and throwing additional safeguards around the essential rights of life, liberty and property. It is for these high purposes you are now assembled—and no doubt is entertained, that the elevated character and importance of the trust confided to your patriotism, intelligence and virtue, will sufficiently admonish you of the solemn obligation you are under to perform the duties arising from that trust, with perfect fidelity. Tendering you the most cordial and respectful salutations, and repeating the assurance heretofore given, of my perfect readiness heartily to co-operate with you in all measures having a tendency to promote the public good—let us unite in supplicating the Divine Goodness to overrule and direct all our proceedings in such a manner as to promote the best interests of the people of Alabama, and furnish an example worthy the imitation of after times.

In the history of the past year, nothing has occurred in our public affairs out of the ordinary course of events. Every branch of industry is likely to meet a corresponding reward; and it is a source of peculiar satisfaction to be enabled to remark, that, by a most praiseworthy and commendable system of frugality and industry, the people are rapidly extricating themselves from the pecuniary embarrassments almost necessarily and inseparably incident to a season of apparent prosperity, and of actual exertion, speculation and enterprise, like that through which we, in common with others have recently passed. With annual and increasing exports of upwards of twenty millions of dollars, and with vast resources not yet fully developed and consequently, unproductive, nothing is wanting but perseverance in the habits of industry so happily begun, and now in successful operation, to enable Alabama to progress rapidly in the onward march to the high rank she is destined to attain among the States of the American Union. To exalt her to that proud station, should be the incessant object of her public servants.

### *Land Office at Courtland.*

Under the act of the 9th of January, 1841, entitled "An act to wind up the land office at Courtland," I appointed Robert Fenner and R. B. Jones, Esquires, commissioners to make final settlement with the Register and Receiver, and with all other officers connected with said office, whose accounts were unsettled. This duty was promptly performed by the commissioners, and I am happy to be able to say that the business of said office had been conducted with perfect fidelity. The books and papers pertaining to the office, have, according to the provisions of the act for winding up its affairs, been transferred to the office of the Secretary of State. The report of the commissioners will, no doubt, be communicated to you in due time: and as the act under which they were appointed made no provision for their com-

pensation, it will become your duty to make a suitable provision upon that subject. The expense of transferring the books and papers from Courtland to the State Department was paid out of the contingent fund.

### *State Arsenal.*

In fulfilment of the duty imposed on the Executive, by the act of the 9th January, 1841, entitled "An act in relation to the public arms," I completed the Board of Commissioners created by the act for the Erection of the State Capitol, by adding to the number John D. Phelan, Dennis Dent and John M. Withers; and the commissioners, after the Board was organized, purchased a building already erected in an eligible part of the city, for a State Arsenal, for three thousand dollars—provided the Legislature should sanction it. Fully satisfied that the commissioners consulted the interest of the State, in purchasing, rather than building, and that the house and lot purchased are richly worth the money agreed to be paid for them, I respectfully recommend that the contract be ratified by the Legislature, and that a further appropriation be made in order to pay for them, (including of course, the portion of the appropriation heretofore made and applied to that object.) A part of the former appropriation, as will be seen from the Comptroller's report, was reserved by the commissioners, for the purpose of making the necessary repairs and alteration in the building purchased, to adapt it to the use intended to be made of it. Good and sufficient titles have already been executed to the State, to the property in question.

### *Camp Equipage.*

The act making it my duty to cause the camp equipage, furnished at the expense of the State, to be sold, in those brigades of Militia in which encampment drills have been abolished, has not been complied with. It occurred to me, on reflection, that the attempt to sell these articles would result, almost certainly, in nearly the entire loss of the amount expended in their purchase. I therefore considered that it would be better to have them brought to the seat of Government, and deposited in the public Arsenal, which is sufficiently capacious to hold them, and where they can be taken care of with very little additional trouble or expense. In order to prevent the further accumulation of expense on this subject, I caused an order to be issued on the 25th day of June, 1841, to prohibit the further purchase of articles of this description, at the expense of the State—and informing Brigadier Generals commanding brigades in which the encampment drills had not been abolished, and which were unfurnished with camp equipage, that they could be supplied from those in which camp equipage had been furnished, and in which the drills were abolished.

### *Reports of Decisions of Supreme Court.*

I have found it impracticable to sell the Reports of the Decisions of the Supreme Court, at the price fixed by the joint resolution of the 15th of December, 1840—nor do I think it at all probable that all of them can ever be sold at that price. The truth is, that the number of some of the volumes now in the Library, greatly exceeds any demand likely to arise for them. I respectfully recommend to the General Assembly such further legislation upon the subject as, in their judgment, may be most likely to reimburse the amount expended in their publication. I have continued to



deposit them with the booksellers in Tuscaloosa, to be sold on account of the State, in the same manner they were disposed of before the passage of the law above referred to.

#### *Digest of the Laws.*

In connexion with this subject, I beg leave to bring to your notice, the propriety of providing for a new and more perfect Digest of the Laws of Alabama. Among other reasons for making this suggestion, it may be remarked, that the number of copies of the last edition is entirely exhausted, and that it was found necessary, after the last general election for county officers, to purchase fifty copies of the Digest, in order to supply all the counties—which were paid for out of the proceeds of the sales of the Reports, as will be seen by reference to the account of J. Lacy & Co.

#### *Penitentiary.*

The building of the Penitentiary was completed and the keys delivered to the commissioners on the 27th ultimo.—The report of the commissioners will, in a few days, give you particular information in relation to the fulfilment of the contract, and the style and manner of the workmanship.

I look with confident expectation to this institution, as one likely to be productive of the most salutary effect, both in the prevention and punishment of crime; and, indeed, as the only system which can carry out that great principle of humanity and benevolence engrafted upon our constitution, and which reflects imperishable credit upon its framers; which requires that our penal code shall be founded on principles of reformation, and not of vindictive justice. The success and the salutary effects of this system, however, must depend, in a great measure, upon the wisdom of the Legislature in adapting to each offence a punishment proportioned to its magnitude—taking care never to exceed, in the way of punishment, the bounds of enlightened and virtuous public opinion; for it may be affirmed of every country having the semblance of freedom, and especially of our own free and happy land, that penal enactments will never be carried into effect where, in the opinion of the great body of the people, they are too severe.

True policy therefore, and a desire to see such laws as may be enacted carried into effect, should always induce us to lean to the side of clemency and moderation.

Inasmuch as I have but recently been officially informed, by the commissioners, of the completion of the building, I have not issued a proclamation giving effect and operation to the penal code. That will be done in a few days.

#### *Banking System of the State.*

The banking system of the State of Alabama, continues to be a subject of increasing solicitude and anxiety with the community at large, and will, I trust, commend itself to the early and diligent attention of the General Assembly. This system has been in operation eighteen years. In that time it has experienced all the vicissitudes of prosperity and adversity, to which a period of that duration subjects human institutions. It has passed through seasons of great prosperity, calculated to develop and unfold its abilities and usefulness; and it has experienced the wintry gale of adversity to a sufficient extent to test its energies, and the correctness of the principles on which it is founded. Aided by the full light of experience and intimate observation, through a long series of years, the grave and important questions now presented, for the deliberate consideration of the General Assembly, are, whether, upon a full and candid review of the operation and effect of this system upon the public interest, it has answered well the ends and the objects of its establishment, by furnishing a circulation of steady undepreciated value; affording a safe depository for the public funds—and furnishes a reasonable hope that it will, by the success of its operations, continue to pay the interest on the capital stock; and finally to reimburse that capital, for the payment of which the faith and credit of the State are solemnly pledged? However gratifying it might be to a just sense of patriotism and State pride, to be able to give an affirmative answer to all these questions, candor imperatively requires that most of them should be answered in the negative. For,

although it is with pleasure admitted that the public funds committed to the custody and safe keeping of the bank, and forming a part of the capital; the payment of the interest and redemption of the stock, depending, as they do, upon the sure foundation of our plighted public faith, are beyond the reach of accident; it is no less true, that the present condition of the banks is not such as to afford satisfaction and encouragement to the community, either in regard to their past management or to inspire full confidence in their future success. The large amount of bad and doubtful debts—the enormous sum due from individuals, most of which will, in all probability, should the general bankrupt law go into effect, be settled in the compendious mode of schedule and affidavit—and the fearful encroachment already made on the capital stock—are considerations well calculated to cast the most ominous conjectures on the success of the whole system.

Whether the failure of these institutions to realize the reasonable expectations of the public, is owing to defects inherent in the system, or is to be found in the manner of selecting the boards of directors, and in which they have managed the affairs of the banks, is the question now submitted for your candid, deliberate, determination. And upon the correct decision of that question, depends the fate of the banks, and the circulating medium of Alabama. If the defects are in the system, and are radical, they are admitted to be without remedy, and the system ought to be abandoned, at least as soon as a proper substitute could be provided. And I have no hesitation in declaring it as my settled opinion that if the present mode of electing directors is to be continued, the sooner the State Bank and branches are wound up the better. If, on the other hand, the defect lies in the manner in which the directors are elected, and in which the affairs of the banks have been conducted, it becomes the indispensable duty of the Legislature to apply the corrective, and to adopt such measures as will insure their better management hereafter. It has been my misfortune to differ with a majority of the Legislature, in relation to the manner of electing bank directors; and in relation to many important points of policy in the management of the banks. Whether the measures recommended by me would have been salutary in their operation, cannot, with certainty, be asserted; but that the course pursued by the Legislature has been most disastrous in its effects upon the banks, is, unfortunately, no longer a problem. But for the settled conviction resting on my own mind, that in the present state of society, a paper currency is indispensable, and can be only constitutionally furnished by the States, and not by the General Government, the discouragements I have experienced in endeavoring, so far as Alabama is concerned, to place the State banks on a better footing, would have induced me to abandon the present system altogether, and to have looked to some other expedient, within the purview of the constitution, as a substitute. And I still think, with entire respect for the opinion of others, that the State bank system is susceptible of being rendered a source of incalculable benefit to the people of Alabama. I believe further, that the State bank system is destined ultimately, under some modification or other, to furnish the paper circulation of this Union.

In reflecting upon such measures as would most likely tend to alleviate and improve the present condition of the banks, and enable them to regain a sound and healthy action, the following have occurred to me as most likely to be productive of that desirable result; and they are, therefore, with becoming deference, respectfully recommended for your consideration. Still satisfied, and even more deeply confirmed than ever, in the correctness of the opinion, that the present mode of electing directors is not only erroneous, but will prove fatal to the banks, if persevered in, I am of opinion that it should be changed, so as to make it the duty of the Governor to nominate double the number to be elected, and for the Senate, or the two Houses jointly, to select from that number the directors for each bank. The presidents should, I think, be elected as at present, by joint vote of the two Houses. I am also of opinion, that the number of directors should be reduced to two, and a president, for each bank; that they be paid a sufficient salary to secure the best

financial talents; and that they be required to devote their constant time and attention to the business of the banks, until they are in a condition to resume specie payments. It will be proper also to adopt suitable measures to compel punctual attention to their duties, and to punish them for negligence or malpractice in office.

No doubt it will be objected to the proposition to reduce the number of directors, that it is aristocratic to take power from a large and bestow it on a smaller number; and that the proposition to increase the compensation, is anti-republican in its tendency. These objections sound loftily in theory, and are strictly correct in practice. But the mistake, the entire mistake, consists in their application to the present case. Whoever heard of a man seeking the appointment of a bank director either from patriotic motives or for the distinction it confers? On the contrary, the accounts of many of the directors, from 1834 to 1837, prove that they were under the influence of a much more powerful motive than the love of country or the love of fame. And, even if it were otherwise, it may be safely affirmed that no greater or more fatal error has been, or can be, committed, in regard to the management of the banks, than that they ought to be conducted on what are usually termed popular principles.—The office of bank director certainly would be, of all others, the most desirable if the capital of the bank was increased by being constantly used, and every man could be supplied with whatever amount his necessities required, whether he was able to pay it or not. But this not being the case, the capital being borrowed, no man ought to be permitted to borrow unless he be able and willing to pay. Equally delusive and ruinous to the banks, will be found the fanciful expectation of obtaining competent talents to manage the laborious and multifarious concerns of a banking institution, already extensively embarrassed, ably and successfully, without adequate compensation. It may be remarked, as a general rule, both in regard to public and private affairs, that those who are willing to labor for nothing, fall, most usually, under the denomination of hard bargains. This remark does not, of course, refer to offices which confer great political distinction, which are doubtless sought, in many instances, even at an entire sacrifice of every thing like pecuniary emolument, from a love of honest fame and the more ennobling feeling of patriotism. But, so far as our banks are concerned, experience furnishes ample testimony to the fact, that their present embarrassed condition is owing in a great measure to the election, in former periods, of directors, who accepted the situations without any stipulated compensation sufficient to compensate a man of ordinary capacity, with the fixed determination to compensate themselves. Volunteers certainly answer admirably in some departments of service; but experience has amply proved, that they are not always the appropriate corps from which to select bank directors. The most fatal tendency of the present course pursued, both in legislation and the management of the banks, is, that it will inevitably place them under the control of their debtors. Let this state of things be once accomplished, and it requires no participation in the spirit of prophecy to foretell that the best directed legislation afterwards will be of no avail.

Transacting a large portion of their business on long time, has also been a prolific source of evil to the banks, and one, the effect of which, they cannot much longer withstand. It is, therefore, respectfully suggested, that the banks be prohibited from discounting any promissory note having more than four months to run, and not to be renewed in any case; and from purchasing any bill of exchange having more than six months, secured by two good endorsers, and drawn against shipments of produce, at least to the amount of the bill, or actual funds at the point where the bill is to be paid. The present amount of circulation, which is about seven millions, is believed to be entirely adequate to the sound business wants of the country, and ought not to be increased. It is particularly recommended to enlarge the discretionary powers of the directors in regard to the security and collection of debts; and to enable each bank to appoint a marshal, with the same powers, in all cases in which the bank is plaintiff, as are now exercised by the sheriffs of the respective coun-

ties throughout the State. The salary of the bank attorneys is entirely too low, and ought to be increased by law, or left to the board of directors, within a reasonable limit, beyond which they should not go.

I also consider it my duty, though I admit it is an unpleasant one, to recommend that the banks be relieved, at least for the present, from defraying the expenses of the State Government. It is a maxim, that to tax and to please, any more than to love and be wise, is a difficult matter. But it is also true, that taxation, in some form or other, is indispensable to the support of Government; and my own reflections long since led me to conclude, that if the amount was kept down to the actual wants of the Government, the more directly it was paid the better. The people are then constantly sensible of the amount of the contributions exacted from them for the support of Government; and they take care that they never exceed the amount absolutely necessary for its support, administered on the most economical scale.—Whatever may be the correctness of this view, I have sufficient confidence in the patriotism and magnanimity of the people of Alabama, exhibited on so many occasions, to believe that they will submit cheerfully to the payment of a sufficient amount to defray the expenses of the State Government; more especially when by doing so, they will avert evils of greater magnitude. Indeed, I feel fully satisfied, that the people will not, for a moment, compromise their high claims to magnanimity, by leaning on the banks to defray the expenses of the State Government, when those institutions are not in a situation to redeem their own notes. It were superfluous to remind the General Assembly, that taxation is, of all others, the most delicate operation of free government, and that in amount it ought to be kept down to an economical standard; and be so regulated, as to operate with as much equality as is attainable in human affairs.

The law setting apart \$200,000 annually, in aid of the valueless sixteenth sections, operates most injuriously on the interest and the business of the banks, and ought to be repealed. It is admitted that the appropriation of this sum is directed to a most commendable and desirable object; and if the banks were in the full tide of successful operation, I should not advocate the withdrawal of this appropriation, from an object dear to every patriot, and deeply interesting, if judiciously applied, to a part of the rising generation. But to be just before we are generous, is a maxim that holds as good in political, as in moral or legal, ethics; and, in the present condition of the banks, it is a departure from the straight pathway of common honesty, which is always the best policy, to require them to perform acts of individual accommodation or public munificence.

The various laws now in force for the relief of bank debtors, are believed to have been salutary in their operation, and while they continue to be properly applied and enforced, need no alteration.

It is not improbable that some of the views I have submitted may appear unreasonable, and that some of the measures I have recommended may seem to be harsh and rigorous. They have been reluctantly extorted from me by the condition of the banks, and a deep sense of the high and solemn obligations of official duty. And, permit me to add, in conclusion on this subject, that if the Legislature, in their wisdom, should be able to devise any other plan, more likely to effectuate the objects which I feel satisfied we have alike in view, it will receive my cordial sanction and approbation. Impelled by a constant desire to preserve the faith and credit of the State unimpaired; I have more than once recommended the propriety of providing a permanent and efficient sinking fund, for the redemption of our State bonds, and the extinguishment of our public debt; and I avail myself of the present occasion to express the hope, that the Legislature will keep this object steadily in view.

It is impossible to recur to our banking system, without being admonished, that it is based on borrowed capital, and that the faith and credit of the State are solemnly pledged for the payment of that capital. And Alabama owes it to herself; to her past history, every period of which is signalized by devotion to sound principles; she owes it to her future fame, and to the great and good men to whom she is

indebted for the rich inheritance of a written constitution, to pursue such a course as will enable her at all times to redeem the obligations of her plighted faith with scrupulous fidelity.

### *The General Ticket System.*

There is another subject which inclination and duty alike, render it proper to bring to your notice. It will be recollected that, on the 1st day of January, 1841, the General Assembly passed a law establishing the general ticket system, in the election of members of Congress from the State of Alabama. At the time this law passed, the period for which the members of the House of Representatives had been chosen, under the district system, had expired. In consequence of the Proclamation of the President of the United States, requiring Congress to convene on the 31st of May, it became necessary, either to convene the Legislature, or leave the people of Alabama unrepresented in the popular branch of the National Legislature. Under *ordinary* circumstances, appreciating the inestimable right of representation, I should have considered it *proper*; but in view of the difficulties then impending over the country, and which I regret to say have not been much diminished, all the promises of amendment, reformation, and relief to the contrary notwithstanding, I considered it my *imperative duty* to convene the Legislature, in order to provide for the emergency which had occurred. Considering the pains taken at the time to mislead the public judgment, as to the necessity which existed for convening the Legislature; it is proper to remark that no other alternative was left, but to convene the Legislature, or leave the State unrepresented in the House of Representatives, in the most unexampled crisis of our public affairs. The term for which members of the House of Representatives from this State had been elected, as before remarked, had expired—and, according to repeated decisions, as well as the most obvious suggestions of reason and common sense, the expiration of an official term does not create a vacancy, within the meaning of the Constitution, to be filled by the Executive, but is a lapse of the office, which requires an act on the part of the legislative, or creative, power in order to supply it, and continue its existence. It is to be hoped that those who declaimed at the time against the necessity for convening the Legislature, and insisted that a proper exercise of the Executive authority, would be sufficient to meet the emergency, and cause the State to be represented, were at least honest in their opinions, and not influenced by a desire wilfully to mislead the public judgment.

On the 27th day of April, 1841, the Legislature passed an act for the election of members of the House of Representatives, under the new system, and to that law annexed a provision, submitting it to the people, to determine, at the general election in August, whether they were in favor of the district or general ticket system. The result of the popular vote upon this question, shows a small majority in favor of the district system.

It is not my purpose to inquire into the propriety of submitting this question to the people, before they could possibly have time to reflect upon the relative importance of the two systems, so as to determine correctly between them.—On the contrary, it is distinctly admitted, that the will of the people, constitutionally expressed, constitutes the great rule of action for the government of the Legislature. Neither shall I attempt to derive any support to the general ticket law, from the fact that the entire popular vote was not given upon this subject, by six or eight thousand votes. If the Legislature should be of opinion that this question was submitted on sufficient notice; and there is reason to believe that the true state of public opinion was expressed in the vote already referred to, it is imperative in its obligations on them to repeal the law—provided, such repeal does not, in their judgment, violate the Constitution: and even in that case, it would be the duty of such as could not vote for the repeal, without violating the Constitution, to resign and give place to others; for I hold the true theory of representative government to be, that, whenever, upon full and ample understanding of any subject, the will of the constituent body is fairly ascertained and expressed, it is the duty of the re-

presentative to yield obedience to that will, or to resign his functions; otherwise the government would cease to be representative in its character. In the present instance, I do not believe there has been an authoritative expression of the popular will, and am, therefore, of opinion, that the law ought not to be repealed—especially, as no election for members of Congress can take place until after the next meeting of the Legislature. From the position I occupy in relation to this question, being the only Chief Magistrate of Alabama that ever recommended it, and particularly from the motives then attributed to me, but to which time has sufficiently applied the corrective; I should be wanting in self-respect were I not to assert the opinion, sincerely entertained, that the general ticket system furnishes the only constitutional mode of electing members to the House of Representatives. In adopting this conclusion, I am not ignorant that the district system has received the sanction of a majority of the States of the Union, and, among them, many of those most distinguished for the wisdom of their public councils, and for the patriotism, intelligence and virtue of their public men—and if this question depended upon precedent, or the practice of other States, I should cheerfully relinquish my own views, no matter how deeply convinced of their correctness, and adopt those which prevail in a majority of the States. But this question does not depend upon precedent—it depends upon the proper construction of the Constitution, and the true theory of representative government. If, then, it can be shown that this system is the one provided for in the Constitution, and that it carries out in practice, and is the only one which can carry out in practice, the true theory of popular representative government, it becomes our duty to determine, that error, though seen through the lapse of ages, sanctioned by time, and approved by the highest intelligence, is error still; and to preserve those sound rules of interpretation, and above all those cardinal principles, which lie at the foundation of the government.

The constitutional provision which governs and controls this question is in the following words: "Members of the House of Representatives shall be chosen every second year by the people of the several States; and the electors in each State shall possess the qualifications requisite for electors of the most numerous branch of the State Legislature." [Art. 1, Sec. 2, Constitution of the U. S.] This provision contains a clear and positive reservation of power, to the people of the several States, to choose members of the House of Representatives; and the only limitation or restriction upon this power is, that the electors shall possess the qualifications requisite for electors of the most numerous branch of the State Legislature. In order to understand correctly the nature and extent of this power, it will be necessary to recur for a moment to the history of the country, prior to the adoption of the Constitution, and to inquire into the reasons which led to the adoption of that instrument, and the great rights intended to be secured by it. The grand moving cause which led to the revolution that separated this country from Great Britain, was the denial of the right of representation—a right which is asserted, in the most memorable declaration to be found in the recorded history of nations, to be "inestimable to freemen, and formidable to tyrants only." Who made this declaration? Who made this remarkable declaration? The people of the several States. Who were the actors in those desperate scenes of danger and glory that succeeded this declaration, and marked the progress of the revolution to that glorious consummation which presents the proudest achievement of human exertion? The people of the several States. Who, when the battles of the revolution were over, assembled, through their representatives, in solemn convention, for the purpose of casting the mould of a new government, and of testing the great and then untried experiment of man's capacity for self-government? The people of the several States. And who, it may be asked, when the strifes and conflicts of the revolution were over, were entitled to have that great right, for which they had toiled and suffered through all the horrors of a seven years' war, secured to them in the amplest form? The answer is still the same; the people of the several States. That people who had borne the flag of an oppressed and bleeding

country triumphantly through the bloody scenes of a thrice glorious revolution, and presented it untarnished to be planted on the ramparts of a written Constitution. Hence we see, that in allotting rewards to those who best deserved them, and in placing power where it could best be wielded, the framers of the Constitution declared, in the very first article of that instrument, that the members of the House of Representatives, that great citadel of freedom and of popular rights, should be "chosen every second year, *by the people of the several States.*" What is meant by the people of a State? When historians or statesmen speak of the people of an empire, a nation or state, the common sense, and the universal usage and understanding of mankind, is, that they speak of the people of such empire, nation or state, in their aggregate, undivided character *as a people*. When the framers of the Constitution spoke of the people of the several States, they meant those separate, independent political communities, which existed anterior to the adoption of the Constitution, to whom we are indebted for all that is beautiful in the theory, or valuable in the practice, of the Government under which we live. If, then, the reservation of power in the Constitution, to choose representatives, be to the people of the several States, and if by the *people* of the several States, is meant the *whole people*, the right to choose the whole number of representatives to which the State is entitled, according to population and the ratio fixed by law, is given to the *whole people*. The error which seems to have prevailed on this subject, consists in supposing that the Constitution of the United States confided to the State Legislatures discretionary power in relation to the choosing of members of Congress, and that in the election of members of the House of Representatives, it was competent for the Legislature to prescribe the qualifications of the electors and limit their right to choose. But this idea has not the semblance of a foundation in the Constitution. The right to choose, the qualifications of the elected and the electors, and the time of service of the members, are all fixed by the Constitution; and neither the Legislature nor Congress have the power to alter them. The only provision of the Constitution, that gives the State Legislatures any power over this subject, is the following: "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State, by the Legislature thereof; but the Congress may at any time alter such regulations, except as to the place of choosing Senators." [4 Sec. 5 Art. Con. U. S.]

What power does this section confer on the State Legislatures? The power to prescribe the times, places and manner of holding the elections, and nothing more. The reservation of power to the people is to choose representatives.—The reservation of power to the State Legislature is to prescribe the times, places and manner of holding the elections—and it certainly cannot require an argument to point out the difference between them.

Neither is there conceived to be any soundness in the doctrine which prevails to a great extent, that both the two modes of electing members to Congress are constitutional. Either may be constitutional, but both cannot be; because their effect upon the elective franchise is entirely different. Under the general ticket system, a qualified voter in the State of New York would be entitled to vote for forty members of Congress, because he was one of an aggregate community whose numbers entitle them to that number of Representatives. Whereas, a qualified voter in Pennsylvania, under the district system, would only be entitled to vote for one, although he possessed precisely the same qualifications that the voter in New York did, and derived his right to vote from the very same clause in the Constitution. It never could have been the intention of the framers of the Constitution, to authorize the practice of a system, which would operate with such gross inequality. They doubtless intended that the rule to be established should be uniform, and that a freeman, possessing the same qualifications in one State of the Union, should enjoy the same privileges that another freeman, residing in a different State, should enjoy. If the object was to restrict the right of suffrage in the election of Representatives to the narrowest possible limits, then the district system is the proper one. Under it no man has

a right to vote for more than one Representative. If, on the other hand, the object was to enlarge the horizon of freedom and of popular privileges to its fullest extent, then the general ticket system is the proper one. Under it each qualified voter in the State is entitled to vote for the whole number of Representatives to which the State is entitled; which is the fullest measure of liberty he can enjoy. It is for the Legislature to determine whether they will confine the people of the State within the narrowest possible limits, by confining them to districts and restricting their right to a single member; or whether they will secure to them the highest degree of liberty they are capable of exercising under the Constitution, and allow them to vote for the whole number.

There is another point of view in which this subject may be placed, which renders it one of vast, not to say vital, importance to the rights and to the existence of the States.—Whatever may be the power of the State Legislatures over the election of members of the House of Representatives, that power is liable, at any moment, to be exercised by Congress. Congress may, according to the Constitution, at any time alter whatever regulations the State Legislatures may make upon this subject. Suppose then, the district system to be correct, and that Congress should exercise the power, which they may, at any time. What, I ask, would become of the security, of the rights of the people, and the sovereignty of the States, when the General Government has the power to lay off districts in such manner as to ensure a compliance with the views of that government, in all instances whatever. The only country under the sun in which this system of electing representatives by geographical limits has prevailed to the full extent, was revolutionary France. There the whole nation was divided into districts, (*departments*;) and it was equally easy to elect a priest or an assassin from either, whichever was most likely to answer the purposes of a furious and unbridled despotism. But, let the general ticket system be established, and all that Congress can do is simply to declare the time, place and manner of holding the elections. It will not be expected that in a communication like this, I should notice all the arguments that have been employed in opposition to this measure; and much less that I should attempt to answer them. I shall notice only those that have been urged with most zeal.

Among the objections to this measure entitled to the most weight is the one, that it will give undue weight and influence in the House of Representatives, to the large and populous States. If this measure involved no higher principle than a mere scramble for power, this view of it might be encouraged and possibly sustained. But popular liberty is not a commodity to be measured out with a stinted hand, or defined by geographical limits—it inheres and belongs to men. According to the true theory of our government, and of all popular governments, the same number of freemen possessing the necessary qualifications to vote in one section of the Union, possess, and ought to exercise, the same power that the same number of freemen possessing like qualifications, possess, and ought to exercise, in another section of the Union. The safest and most virtuous rule, in public as well as private affairs, is boldly and firmly to assert and maintain our own rights, and cheerfully accord to others the enjoyment of theirs. And it was never intended that the representation in the House of Representatives should be equal, any further than numbers, according to the population of the different States, should render it so. Neither could it have been the intention of the framers of the Constitution to weaken the influence of the people of the States, in the popular branch of the Legislature, by adopting a rule which would lead, necessarily, to diversity of views and opinions, and all the mischiefs incident to divided councils. Union and harmony were the feeling and the sentiment which predominated, over all others, at the time the Constitution was formed. The Constitution itself furnishes the most indubitable proof that numbers form the basis of representation, in the House of Representatives. Hence it requires that the census shall be taken at stated periods, to ascertain the number of inhabitants in the different States, and that the ratio of representation shall, at the first session of Congress after every such enumeration, be fixed accordingly. Equality of repre-



sentation and the power of counteracting the weight and influence of the large States, when they run into error or operate oppressively; is secured in the Senate, where each State, being sovereign and, of course, equal in rights and power, is represented by the same number of Senators. Nothing more is necessary to elucidate the view I entertain upon this part of the subject, than to keep constantly in mind that the reservation of power to the States, is to elect Senators; that to the people, is to choose representatives. And while it is freely admitted, that under the general ticket law the people of no State can ever have a larger number of representatives than their numerical strength entitles them to, it may with full confidence be asserted that it secures to them the full number to which they are entitled, and that no other system can do it.

The next objection is that a majority of the States, from the origin of the Government, have adopted the district system—or, that the weight of precedent is against the measure under consideration. To this it may be answered, with entire respect, that the effect of this doctrine is to fasten the errors of one generation irrevocably upon all succeeding generations, and, indeed, to render error immortal. This I admit is the doctrine maintained in all governments of prescription, where the lights of experience and successive improvement are studiously shut out, and where it is considered sacrilege for men to attempt any improvement upon the systems or opinions of those who have gone before them.—Fortunately for the improvement of the age, and for the benefit of mankind, this is not yet the received doctrine in this country.

The gravest objection, and one which addresses itself peculiarly to popular prejudice—for it can have no solid foundation in the understanding of any one who has bestowed the slightest attention to the subject is, that it disfranchises a portion of the people. If this objection is well founded, it would be sufficient of itself to condemn the system. But nothing can be more untrue or disingenuous; and the employment of such an argument bespeaks either an ignorance of the meaning of the most ordinary terms in the language, as well as the true theory of representative democratic government, or a desire to mislead the public judgment. To disfranchise, means to deprive of the privileges of a free citizen. In reference to the subject under consideration, it means, if, indeed, it mean anything, to deprive of the right to vote. But who, it may be asked, that had a right to vote under the former system, has been deprived of that right by the law in force? Under the district system each qualified voter in the State had a right to vote for one member of Congress, and no more. Under the general ticket law, each qualified voter in the State had a right to vote for five. Unless, therefore, increasing the right of each voter in the State five fold, in the election of members of Congress, has the effect to disfranchise a portion of the people, no disfranchisement has been effected by the general ticket law. If being disfranchised means voting in a minority, why then the twelve hundred thousand freemen who voted in a minority in a recent National election, the manner of conducting as well as the result of which will be remembered at least as long as the forms of the *Constitution* last, were disfranchised. But not so—they took their chances at the ballot box—they cast their votes in that memorable contest—but the majority of numbers was against them—and yielding to that great distinctive feature of representative republican government, that the will of a majority, expressed according to the forms of the *Constitution*, shall govern, they quietly submitted to defeat—but not to disfranchisement. No doubt many of them expect to vote in a similar election again, and, judging from the signs of the times, with sanguine hopes of better success. If this modern doctrine of disfranchisement is correct, there is a portion of the people disfranchised in every popular election, where there is a contest, from the election of a constable up to the election of Chief Magistrate of the United States. This subject renders reference to another principle not improper; and that is, the rights of minorities. All men possessing the qualifications established by the *Constitution* are eligible to office, and have a right to vote, no matter what may be their political opinions. But minorities have no

power to elect, and no right to have their political opinions represented. These belong to the majority, and must continue to belong to them, until the main principle of the government is changed, and the will of the few substituted for the will of the many. The truth of this position is fully illustrated in the case of the twelve hundred thousands who voted for Mr. Van Buren in the late Presidential election.—Their votes were as powerless, so far as the result of that election was concerned, as if they had been cast into the sea; because they were given by a minority. Take another illustration: The county of Tuscaloosa is, in all respects, one of the most respectable counties in Alabama—the people of that county, like all others, are divided into parties entertaining different political opinions; one of these parties preponderates by a majority of several hundred votes, and the consequence is, and properly, according to the genius of our Government, that the dominant party elects all the delegates from that county, in both branches of the Legislature.

I have calmly endeavored to view the questions involved in the general ticket law, through the light of reason, uninfluenced by any other desire than to arrive at a proper conclusion. The true construction of the *Constitution* and a desire to secure the rights of the people of Alabama to their fullest extent, furnish the only lights by which I have been guided, and constitute the only motive by which I have been governed in arriving at the conclusion to which I have come. I had experienced no personal disappointment under the district system; and, notwithstanding the motives attributed to me, it is impossible I can have views or expectations to gratify under the present system. My deliberate judgment tells me the present is the true one, for the following reasons:—

1. The *Constitution* authorizes the people of the States to choose representatives; and this is, in my opinion, the only way in which the right secured by the *Constitution*, can be fully enjoyed.

2. It secures in practice, in the election of members of Congress, the benefit of that great principle, that the will of a majority, expressed according to the forms of the *Constitution*, shall govern.

3. It secures the rights of the States from the possibility of encroachment by Congress.

4. It enlarges the elective franchise, just in proportion to the number of members of Congress to be elected.

It is possible, after all, that the views I have taken, and the reasoning I have employed, upon this subject, may be erroneous. My deliberate and well settled opinion, is, that they are correct. And even if they should prove to be erroneous, I shall at least enjoy the consolation of having erred in favor of extending the great principle of representative government, which lies at the bottom of our institutions, by enlarging the right of suffrage; to secure which, in its plenitude and purity, to the people of the several States of this Union, the aspirations of the purest patriots were elevated, and the best blood of the revolution was spilt. But upon this subject, and particularly at this time, I have an especial desire not to be misunderstood. Ours is a Government of opinion, and not arbitrary will; and reason and free inquiry are the only agents that can properly be employed in the administration of it. I am, therefore, of opinion that this subject should be referred back to the people, and if, upon full consideration of all the reasons connected with it, they determine that this law ought to be repealed, let it be done. As already remarked, no possible injury or public inconvenience can result from delay; on the contrary, it will afford time for ample reflection on the relative importance and propriety of the two systems, as no election can be held under either until August, 1843.

The intimate relations subsisting between the State and General Governments, and our liability to be affected, either for good or for evil, by the action of the latter, renders it proper that I should notice some of the measures introduced during the late extraordinary session of Congress, most of which have, unfortunately as I conceive, become laws of the land. I am well aware that there are some who look upon every allusion by the State authorities to the action of the General Government, as a species of impertinent and offi-

cious interference. My habit of thinking upon this subject has led me to a different conclusion. The General Government was formed by the States; it can only be altered by the States; it is responsible to the States for its action; it was constituted a trustee by the States, for the benefit of the people, in relation to such matters, and none others, as were specifically confided to it.

#### *A National Bank.*

The ingenuity of the friends of a National Bank, in Congress, was taxed to the last extremity in order to enable them to seem to evade, while they violated, the Constitution, and to incorporate some institution of this kind. Fortunately for the country, all these attempts were unsuccessful—not so much, it would appear, however, from a disposition to preserve the Constitution, as from inability on the part of the friends of a bank, (or fiscal agent, as it is now called,) to agree among themselves, as to the particular manner in which that instrument should be violated. And it is astonishing that the President of the United States should have vetoed two bank bills for constitutional reasons, without even alluding to the main reason why such an institution is unconstitutional—namely, that Congress has no power to incorporate a national institution of any sort. This question, like the sword of Damocles is still suspended over our heads; and whether this state of suspense is to terminate in the ultimate triumph of the Constitution, or in the prostitution of that instrument to the influence of a sordid money power, is a question which belongs to the future. Unless, however, the indications of the times are grossly deceptive, the people are about to look to this subject, and to relieve the country for ever from the thralldom and corruptions of a National Bank. It is hoped that the Legislature will continue to protest against the establishment of any institution of this kind, by whatever name it may be called; and, in the event of its passing Congress in any shape, against the establishment of a branch in this State.

#### *Proceeds of the Public Lands.*

The act to appropriate the proceeds of the public lands and to grant pre-emption rights, (as it is styled,) is, in my judgment, the most extraordinary, as well as the most pernicious act of American legislation; and contains more of that subtle poison which is finally to naturalize the power and destroy the independence of these States, unless prevented by their constant vigilance, than any act passed by Congress since the foundation of the Government. This measure may, with truth, be said to violate every correct principle that could be embraced within its provisions. It violates the Constitution, by abolishing a permanent source of revenue belonging to the United States; thereby creating a necessity for increasing the duties on imports, which must operate unequally, and the weight of which must fall most heavily on the Southern States. It is no answer to this objection, to say that the act is not to operate if it violates the compromise of 1833—the compromise act is itself a violation of the spirit of the Constitution. It violates the articles of cession from the ceding States to the United States, by distributing that which was intended to be held as a common fund, for the benefit of *all* the States jointly, among the *individual* States. It is an act of wasteful improvidence to give away three or four millions annually, when the National Treasury is penniless, and places Congress under the necessity of borrowing money, and taxing the necessities of life, in order to support the government. It involves the right of Congress to lay and collect taxes for the purpose of distribution among the States, in order to make them the pliant subjects of national ambition and national power—for there is no difference between giving to the States the existing revenue, thereby creating a necessity for additional taxes, and laying taxes in the first instance, for the purpose of distribution. It amounts to the same thing. Congress has no power to make donations when the treasury is bankrupt; and it is utterly unworthy the character of the States, under such circumstances, to accept them. This act is one of that series of measures intended to pave the way for the permanent introduction of the miscalled American system, the ef-

fect of which will be to fasten perpetual burdens on the people of the South, in order to protect and foster the productions of labor in other sections of the Union. If this law remains in force, it destroys all hope of reduction in the price of the public lands; a matter more interesting to the great mass of the people than any other, as it would enable every class, even the poorest, to provide homes for their wives and children at a very moderate expense. It is not to be expected that the price will be reduced while a majority of the States are interested in keeping it up, in order to increase the distributive portion to which each State is entitled. The true and wisest policy of this government, is to contribute, as far as possible, consistently with the Constitution, to the happiness and comfort of the people; and not, by exhausting existing sources of revenue, to increase the necessity for additional impositions, and diminishing their ability to become interested in the soil, by acquiring a home, which, after all, is the strongest tie which binds a man to his country.

The foregoing are some of the objections which apply, with great force, to the law for the distribution of the proceeds of the public lands. The 17th section of this act presents a subject for the consideration, and possibly for the action of the Legislature. It provides "that the two per cent. of the nett proceeds of the lands sold by the United States, in the State of Alabama, since the first day of September, one thousand eight hundred and nineteen, and reserved, by the act entitled "an act to enable the people of the Alabama Territory to form a Constitution and State Government, and for the admission of such State into the Union, on the same footing with the original States, for the making of a road or roads leading to the said State, be, and the same is hereby, relinquished to the said State of Alabama, payable in two equal instalments, the first to be paid on the first day of May, one thousand eight hundred and forty-two, and the other on the first day of May, one thousand eight hundred and forty-three, and quarterly as the same may hereafter accrue. *Provided*, That the Legislature of said State shall first pass an act declaring their acceptance of said relinquishment, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied, under the direction of the Legislature of Alabama, to the connexion, by some means of internal improvement, of the navigable waters of the Bay of Mobile with the Tennessee river, and to the construction of a continuous line of internal improvements from a point on the Chattahoochee river, opposite West Point, in Georgia, across the State of Alabama, in a direction to Jackson, in Mississippi."

This section of the act relinquishes to Alabama the two per cent. fund arising from the sale of the public lands in this State, and which was reserved according to the terms of the act for our admission into the Union, for the purpose of making a road or roads to the State. It is not perceived that this provision in the act of Congress, would commit us to any extent to the distribution principle. If that is to be the effect of accepting it, I, for one should be for rejecting it without regard to consequences.

It is certain that the two per cent. arising from the sale of the public lands in this State, can never become the property, or form a part of the revenue of the United States without our consent; and, perhaps the most correct view of this part of the subject is, that we are equitably entitled to the benefit of it.

If the Legislature should acquiesce in the correctness of this view, the only remaining question will be, whether they will now or at a more favorable period, bind the State to furnish the additional amount necessary to complete the two works of internal improvement, contemplated in the act of Congress. The entire cost of these works may be estimated at five millions—the amount of the two per cent. at three hundred thousand dollars—hence the sum to be furnished by the State would be four millions seven hundred thousand dollars. A more intimate connexion with the sister States of Georgia and Mississippi, by means of a permanent work of internal improvement is certainly a most desirable object, if we have the means to accomplish it. And the connexion of the navigable waters of Mobile bay with the Tennessee

river is, in every light in which it can be viewed, a matter of vast importance. It would bring us into intimate connexion with one of the finest provision-raising countries in the world, by which we should annually save vast sums in the purchase of productions directly from the producers, which we now have to purchase in the first instance, in New Orleans; and the difference of exchange on the articles thus purchased would, in a few years, be sufficient to construct the work. A work of this kind would also have the effect of connecting the two great sections of the State more intimately; and what is of still higher importance, it would, in that emergency, from which the most pacific and enlightened nations, cannot always be exempt, afford great facility in the transportation of troops, munitions of war, and provisions from that quarter, to which in time of need, we should be compelled to look for them. The whole subject is respectfully submitted to the Legislature without a doubt that they will dispose of it with due regard to all the high and important considerations which it involves.

#### *Retirement from Office.*

This is the last annual message I shall have the honor of submitting to the General Assembly. A few days will terminate my connexion with the office of Chief Magistrate of the State of Alabama, to which I may, with perfect sincerity say, I have been twice elected without solicitation on my part, by the people. In looking forward to the moment, now almost at hand, which is to dissolve my official connexion with the General Assembly, I should do injustice to my own feelings, if I were not to express the deep and abiding sense of obligation I am under to that body, for the uniform courtesy and indulgent liberality and kindness I have experienced at their hands, in my humble but honest efforts to administer the Government of Alabama. And permit me, gentlemen, through you, to avail myself of this public occasion, to tender to the great body of my fellow-citizens, the deep and lasting sense of gratitude I feel, and shall never cease to cherish, towards them, for the multiplied proofs they have given me of their kindness and confidence; and to assure them, that I shall carry into the retirement which awaits me, the same devotion to their interests and happiness, by which I have endeavored to be governed in my public career; and that I shall never cease to supplicate Divine goodness, to continue to them the enjoyment of those rich and countless blessings which he has heretofore been pleased to bestow upon them.

A. P. BAGBY.

EXECUTIVE DEPARTMENT, }  
Tuscaloosa November 1st, 1841. }

#### *Fruits of the Western Railroad.*

Among the merchandise at the Worcester railroad depot in this city, we notice a quantity of sole leather, for Messrs. Spooner & Arnold, from the well known tanning establishment of Mr. Edwards, of Hunter, Greene co. N. Y. They expect, as we understand, to receive most of their leather, and forward their hides, over this road, which offers a direct conveyance to all the *tanning region* of New York. This gives to the citizens of Boston great facilities, all the year round, for the prosecution of this trade—a trade unavailable to the city of New York, during the winter, while their noble Hudson is ice-bound.

The leather and shoe trade was first established in New England—and has, ever since, been conducted with great skill and energy—and we hope our citizens will now embrace the opportunity offered them, to supply their own manufactures with every article which this department of our industry may demand.—*Boston Atlas.*

#### *A Cast Iron Light House.*

A cast Iron Light House for the harbor of Havana has just been finished in New York. It is 18 feet in height, and will be surmounted by a lantern of about half these dimensions. The expense is estimated at \$1500.

*Newark Daily Advertiser.*

#### *Low Water in the Lake—Enlargement of the Canal.*

In the memorial on the subject of the enlargement of the canal, published in yesterday's paper, it was assumed that in the year 1820 the water in the lake was at its lowest stage of depression. Such, we learn, is not the fact. From the years 1809 to 1814, inclusive, the water was two feet lower than in 1820, the trees between this and Fort Erie, now covered, were then entirely out of water, and on Bird Island, which for many years past had been almost wholly under water, buildings were erected. There is good reason to fear that a similar state of things may be experienced again.—Its possible consequences are of the highest importance. If the Lake should fall as low as it was during the five years above mentioned, a canal constructed upon the plan adopted for the enlargement from this to Lockport, would leave the whole utterly useless as far as Montezuma. Between that place and Lockport it would require nearly, if not quite, the whole of the Genesee river to ensure an adequate supply of water. This matter, therefore, is of the highest interest to the whole State, and to Rochester its importance is incalculable. The foundation of that city's prosperity, that which is requisite to its very existence even, may be necessarily destroyed when least expected. We shall procure as speedily as possible, authentic information on this subject, and put it in such a shape as will, we trust, command the earliest attention of the Canal Commissioners and the Legislature.—

*Buffalo Commercial Advertiser.*

For an interesting report on the periodical rise and fall of the waters of the Lakes, see Register vol. iii, page 225.

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#### *Colored Colony.*

On the 23d ult. a meeting of colored persons met at Warren, Trumbull county, at which it was resolved that the interest of colored persons would be promoted by forming a settlement at some point where land is cheap and the laws not oppressive. It was also recommended that a convention of colored persons from this and the adjoining States be held at Massillon on the 1st day of December next, to consult on the subject; and that P. Brown, Wm. Pinn and J. Robertson be a committee to make the arrangement.

*[Ohio Repository.]*

#### *Judge Baylies, surviving aid of Washington.*

"Col. Trumbull," says the N. Y. Commercial, "is the survivor of the Military Family of Washington." This is corrected by the editor of the Taunton Whig, who states that the Hon. H. Baylies, of Dighton, was an aid to Gen. Washington in the war of the Revolution. Judge Baylies is in his 86th year—resides but about 6 miles from, and is frequently at Taunton. He enjoys the blessings of a "green old age," health and activity.—*New Bedford Mercury.*

In an appeal to the city of Boston for aid to the sufferers by the late gales at Truro, the selectmen say:

"The dreadful effects of the late gale on the shores of Cape Cod, are in general well known. The loss of property in this town is without a parallel in its former history, and the loss of human life is truly appalling. Forty seven of our townsmen have been swallowed up in the mighty deep, or cast lifeless upon our shores, leaving, almost in a single neighborhood, twenty-one widows, and thirty-nine fatherless children, many of whom are left in want of the most common necessities of life—food, clothing and fuel."

#### *Great Speed.*

The splendid steamboat South America, Captain Brainard, a few evenings since, ran from this city to Hudson, a distance of one hundred and twenty-six miles, in six hours and nineteen minutes, making all her regular landings. This is a shorter time than it was ever performed in before. The running must have been at the rate of more than 21 miles per hour.

[Concluded from page 304.]

Table IV. Recapitulation.

	1832.—DIVIDENDS.			1833.—DIVIDENDS.			1834.—DIVIDENDS.			1835.—DIVIDENDS.		
	No. of Banks.	Average Capital.	Per cent.	No. of Banks.	Average capital.	Per cent.	No. of Banks.	Average capital.	Per cent.	No. of Banks.	Average capital.	Per cent.
Table I. . .	10	\$7,400,000	5.65	11	\$8,150,000	5.87	13	\$9,150,000	5.38	14	\$9,650,000	5.50
II. . .	1	500,000	6	1	500,000	6	1	500,000	6	1	500,000	6
III. . .	6	4,600,000	6.03	6	4,600,000	6.14	6	4,600,000	6.51	6	4,600,000	6.61
	17	12,500,000	5.81	18	13,250,000	5.97	20	\$14,250,000	5.77	21	\$14,750,000	5.86

Table IV. Continued.

	1836.—DIVIDENDS.			1837.—DIVIDENDS.			1838.—DIVIDENDS.			1839.—DIVIDENDS.			1840.—DIVIDENDS.		
	Average capital.	Per cent.	Amount.	Average capital.	Per cent.	Amount.	Average capital.	Per cent.	Amount.	Average capital.	Per cent.	Amount.	Average capital.	Per cent.	Amount.
Table I. . .	\$9,990,000	6.44	\$637,750	10,650,000	5.40	\$576,000	10,550,000	5.51	\$581,500	10,450,000	5.57	\$577,750	10,450,000	5.57	\$577,750
II. . .	500,000	6	30,000	650,000	6.11	39,750	650,000	6	39,000	650,000	6	39,000	650,000	6	39,000
III. . .	4,975,000	7.30	363,250	6,000,000	7.00	420,500	6,375,000	6.68	426,000	6,750,000	6.79	458,500	6,750,000	6.79	458,500
	15,375,000	6.70	1,031,000	17,300,000	5.98	1,036,250	17,575,000	5.95	1,046,500	17,850,000	5.46	\$975,250	17,850,000	5.46	\$975,250

Table IV. Continued.

	1841.—DIVIDENDS.			DIVIDENDS FROM 1832 TO 1841.			Amount.	Total interest.	Aggregate capital.
	Average capital.	Per cent.	Amount.	Average capital.	Per cent.	Amount.			
Table I. . .	\$10,210,000	4.48	\$458,100	52.99	3063.4838	\$5,127,925	\$677,675	\$5,085,600	\$96,760,000
II. . .	650,000	6	39,000	60	345,000	345,000	370,500	345,000	5,750,000
III. . .	6,750,000	6.81	469,000	66.70	130,221	3,685,500	370,500	3,315,600	55,250,000
	\$17,610,000	5.43	\$957,100	58.05	2285.7888	\$9,158,425	\$307,175	\$9,465,600	\$157,760,000



**Remarks.**

It thus appears from the foregoing tables, that the aggregate amount of interest lost to stockholders during the last 10 years, in 15 banks, has been \$677,675, or a little more than 7 per cent. on the aggregate capital of \$96,760,000; that in 2 banks there has been no loss; and that in the remaining 8 banks, the dividends have exceeded the interest by the sum of \$370,500, or a little more than  $\$6\frac{70}{100}$  per cent. on the aggregate capital of \$55,250,000. This gain reduces the nett loss to \$307,175, which is nearly 2 per cent. on the whole aggregate capital of \$157,760,000. This loss of interest is nearly a thirtieth part of the amount of dividends received on the whole capital during the 10 years.

It may be observed here, that, in addition to the dividends abovementioned, the Suffolk Bank gave to stockholders a bonus of  $33\frac{1}{3}$  per cent. of its capital, amounting to \$250,000 of its reserved profits, on occasion of an increase of its capital to \$1,000,000 in 1839. If we regard this sum as a dividend, it would reduce the loss of interest on all the banks from \$307,175 to \$57,175, which is only .37 1907-7883 of 1 per cent. in 10 years, and indicates that the dividends have averaged 6 per cent. per annum during these ten years, on 99.39 14129-23664 per cent. of the whole amount of the capital stock of all these 25 banks.

We may suppose that about half of the banks, with about half of the capital, have been carefully managed, and have met with good luck. The other half we apprehend have

not been watched over with that care which stockholders had a right to expect. In respect to loss of interest, little apology is to be derived from what are called the *times*, for the times, so called, are very much the creation of the careless management of the banks. Had all of them been properly managed, very few of them would probably have failed to have divided 6 per cent. per annum with entire capital.

We have said nothing of the depreciation in the market of a large portion of the stock, part of which has arisen from actual loss of capital, and a part from a distrust of this kind of investment, on account of past abuses, and from a preference, on account of supposed greater security, for other investments, particularly railroad stocks. Ten years ago, the market price, we presume, of all these banks then in operation, was considerably above par, and the stock was sought with avidity by those who had money to invest, and with full confidence that it would pay 6 per cent. per annum with entire capital, and that it would at any time command the price paid for it, with little or no loss, whenever the holder should wish to convert it into cash. This would probably have been the case down to the present time, had these institutions been managed with that care which a prudent man would have exercised in his own concerns. The idea of safety to the principal with interest, is the most important consideration with those who have funds to invest for themselves or for others; and if there was a confidence of such safety in these institutions, the stock would readily command its value in the market.—*Boston Mercantile Journal.*

Comparative Views of the Census of 1840.

Proportion of the Sexes.

On pages 232, &c. we published the general results of the Census of the United States, relating to the population. We are not yet in possession of any further documents on this interesting subject. In the present number we commence some comparative views founded on the tables already published, which we propose to continue as we have leisure to prepare them—they require much time and labor.

TABLE 1.

New England States				Western States.			
	Males.	Females.	Total.		Males.	Females.	Total.
Maine.....	253,709	248,084	501,793	Ohio.....	784,102	735,365	1,519,467
New Hampshire.....	139,252	145,322	284,574	Kentucky.....	400,088	379,740	779,828
Massachusetts.....	365,333	372,366	737,699	Tennessee.....	419,707	409,503	829,210
Rhode Island.....	52,776	56,054	108,830	Indiana.....	356,505	329,361	685,866
Connecticut.....	152,199	157,779	309,978	Illinois.....	257,279	218,904	476,183
Vermont.....	146,742	145,206	291,948	Michigan.....	113,788	98,479	212,267
	1,110,011	1,124,811	2,234,822	Missouri.....	203,095	180,607	383,702
Proportion 100 males to 101.33 females.				Arkansas.....	52,578	44,996	97,574
<b>Middle States.</b>				Wisconsin.....	18,862	12,083	30,945
New York.....	1,231,166	1,197,755	2,428,921	Iowa.....	24,355	18,757	43,112
New Jersey.....	188,138	185,168	373,306		2,630,359	2,427,795	5,058,154
Pennsylvania.....	867,557	856,476	1,724,033	Proportion 100 males to 92.29 females.			
Delaware.....	33,256	38,829	78,085	<b>Slave-holding States.</b>			
	2,326,117	2,278,228	4,604,345	Maryland.....	233,768	235,464	469,232
Proportion 100 males to 97.90 females.				Virginia.....	623,702	616,095	1,239,797
<b>Southern States.</b>				North Carolina.....	374,820	378,599	753,419
Maryland.....	233,768	235,464	469,232	South Carolina.....	293,038	301,360	594,398
Virginia.....	623,702	616,095	1,239,797	Georgia.....	351,243	340,149	691,392
North Carolina.....	374,820	378,599	753,419	Alabama.....	305,082	285,674	590,756
South Carolina.....	293,038	301,360	594,398	Mississippi.....	195,974	179,677	375,651
Georgia.....	351,243	340,149	691,392	Louisiana.....	187,802	164,609	352,411
Alabama.....	305,082	285,674	590,756	Tennessee.....	419,707	409,503	829,210
Mississippi.....	195,974	179,677	375,651	Kentucky.....	400,088	379,740	779,828
Louisiana.....	187,802	164,609	352,411	Missouri.....	203,095	180,607	383,702
District of Columbia.	20,333	23,379	43,712	Arkansas.....	52,578	44,996	97,574
Florida.....	29,892	24,585	54,477	Florida.....	29,892	24,585	54,477
	2,615,654	2,549,591	5,165,245	District of Columbia.	20,333	23,379	43,712
Proportion 100 males to 97.51 females.					3,691,122	3,564,437	7,255,559
				Proportion 100 males to 96.56 females.			

**Table II.**—*Proportion of Males to Females in the whole population in each State.*

STATES.	Males.	Females.	Excess of males.	Excess of females.	No. of males to females.
Maine.....	253,709	248,084	5,625	....	100 to 97.78
New Hampshire.....	139,252	145,322	....	6,070	104.36
Massachusetts.....	365,333	372,366	....	7,033	101.92
Rhode Island.....	52,776	56,054	....	3,278	106.20
Connecticut.....	152,199	157,779	....	5,580	103.66
Vermont.....	146,742	145,206	1,536	....	94.86
New York.....	1,231,166	1,197,755	33,411	....	97.28
New Jersey.....	188,138	185,168	2,970	....	98.42
Pennsylvania.....	867,557	856,476	11,081	....	98.72
Delaware.....	39,256	38,829	427	....	98.91
Maryland.....	233,768	235,464	....	1,696	100.72
Virginia.....	623,702	616,095	7,607	....	98.78
North Carolina.....	374,820	378,599	....	3,779	101.01
South Carolina.....	293,038	301,360	....	8,322	102.84
Georgia.....	351,243	340,149	11,094	....	96.87
Alabama.....	305,082	285,674	19,408	....	93.64
Mississippi.....	195,974	179,677	16,297	....	91.68
Louisiana.....	187,802	164,609	23,193	....	87.65
Tennessee.....	419,707	409,503	10,204	....	97.56
Kentucky.....	400,088	379,740	20,348	....	94.91
Ohio.....	784,102	735,365	48,737	....	93.78
Indiana.....	356,505	329,361	27,144	....	92.38
Illinois.....	257,279	218,904	38,375	....	85.08
Missouri.....	203,095	180,607	22,488	....	88.92
Arkansas.....	52,578	44,996	7,582	....	85.57
Michigan.....	113,788	98,479	15,309	....	86.52
Florida Territory.....	29,892	24,585	5,307	....	82.24
Wisconsin Territory.....	18,862	12,083	6,779	....	64.05
Iowa Territory.....	24,355	18,757	5,598	....	77.01
District of Columbia.....	20,333	23,379	....	3,046	114.98
	8,682,141	8,380,425	340,520	38,804	100 to 96.52

**Table III.**—*Proportion of Males to Females in the white population of each State and Territory.*

STATES.	Males.	Females.	Excess of males.	Excess of females.	No. of males to females.
Maine.....	252,989	247,449	5,540	....	100 to 97.89
New Hampshire.....	139,004	145,032	....	6,028	104.34
Massachusetts.....	360,679	368,351	....	7,672	102.12
Rhode Island.....	51,362	54,225	....	2,863	105.57
Connecticut.....	148,300	153,556	....	5,256	103.54
Vermont.....	146,378	144,840	1,538	....	98.95
New York.....	1,207,357	1,171,533	35,824	....	97.03
New Jersey.....	177,055	174,533	2,522	....	98.57
Pennsylvania.....	844,770	831,345	13,425	....	98.41
Delaware.....	29,259	29,302	....	43	100.14
Maryland.....	158,636	159,081	....	445	100.28
Virginia.....	371,213	369,645	1,568	....	99.58
North Carolina.....	240,047	244,823	....	4,776	101.99
South Carolina.....	130,496	128,588	1,908	....	98.53
Georgia.....	210,534	197,161	13,373	....	93.65
Alabama.....	176,692	158,493	18,199	....	89.70
Mississippi.....	97,256	81,818	15,438	....	84.12
Louisiana.....	89,747	68,710	21,037	....	76.55
Tennessee.....	325,434	315,193	10,241	....	96.85
Kentucky.....	305,323	284,930	20,393	....	93.32
Ohio.....	775,360	726,762	48,598	....	93.73
Indiana.....	352,773	325,925	26,848	....	92.39
Illinois.....	255,235	217,019	38,216	....	85.02
Missouri.....	173,470	150,418	23,052	....	86.71
Arkansas.....	42,211	34,963	7,248	....	82.82
Michigan.....	113,395	98,165	15,230	....	86.56
Florida Territory.....	16,456	11,487	4,969	....	69.80
Wisconsin Territory.....	18,757	11,992	6,765	....	63.93
Iowa Territory.....	24,256	18,668	5,588	....	76.96
District of Columbia.....	14,822	15,835	....	1,013	106.83
	7,249,266	6,939,842	337,520	28,096	100 to 95.73

Table IV.—Proportion of Males and Females in the whole Colored population in each State.

STATES.	Males.	Females.	Excess of males.	Excess of females	Ratio of males to females.
Maine - - - - -	720	635	85	....	100 to 88.19
New Hampshire - - - - -	218	290	....	42	116.93
Massachusetts - - - - -	4,654	4,015	639	....	86.27
Rhode Island - - - - -	1,414	1,829	....	415	129.31
Connecticut - - - - -	3,899	4,223	....	324	109.08
Vermont - - - - -	364	366	....	2	100.55
New York - - - - -	23,809	26,222	....	2,413	110.13
New Jersey - - - - -	11,083	10,635	448	....	95.90
Pennsylvania - - - - -	22,787	25,131	....	2,344	110.28
Delaware - - - - -	9,997	9,527	470	....	95.03
Maryland - - - - -	75,132	76,383	....	1,251	101.66
Virginia - - - - -	252,489	246,450	6,039	....	97.60
North Carolina - - - - -	134,773	133,776	997	....	99.29
South Carolina - - - - -	162,542	172,772	....	10,230	106.29
Georgia - - - - -	140,709	142,988	....	2,279	101.62
Alabama - - - - -	128,390	127,181	1,209	....	99.06
Mississippi - - - - -	98,718	97,859	859	....	99.13
Louisiana - - - - -	98,055	95,899	2,156	....	97.80
Tennessee - - - - -	94,273	94,310	....	37	100.64
Kentucky - - - - -	94,765	94,810	....	45	100.04
Ohio - - - - -	8,742	8,603	139	....	98.41
Indiana - - - - -	3,732	3,436	296	....	92.07
Illinois - - - - -	2,044	1,885	159	....	92.22
Missouri - - - - -	29,625	30,189	....	564	101.94
Arkansas - - - - -	10,367	10,033	334	....	96.78
Michigan - - - - -	393	314	79	....	79.89
Florida Territory - - - - -	13,436	13,098	338	....	97.48
Wisconsin Territory - - - - -	105	91	14	....	86.66
Iowa Territory - - - - -	99	89	10	....	89.88
District of Columbia - - - - -	5,511	7,544	....	2,033	136.89
	1,432,875	1,440,583	14,271	21,979	100 to 100.53

Table V.—Proportion of Males to Females in the Free Colored population of each State and Territory.

STATES.	Males.	Females.	Excess of males.	Excess of females.	Ratio of males to females.
Maine - - - - -	720	635	85	....	100 to 88.19
New Hampshire - - - - -	248	289	....	41	116.53
Massachusetts - - - - -	4,654	4,015	639	....	86.26
Rhode Island - - - - -	1,413	1,825	....	412	129.16
Connecticut - - - - -	3,891	4,214	....	323	108.30
Vermont - - - - -	364	366	....	2	100.55
New York - - - - -	23,809	26,218	....	2,409	110.12
New Jersey - - - - -	10,780	10,264	516	....	95.11
Pennsylvania - - - - -	22,752	25,102	....	2,350	110.32
Delaware - - - - -	8,626	8,293	333	....	96.13
Maryland - - - - -	29,173	32,847	....	3,674	112.58
Virginia - - - - -	23,828	26,024	....	2,196	109.11
North Carolina - - - - -	11,227	11,505	....	278	102.47
South Carolina - - - - -	3,864	4,412	....	548	114.18
Georgia - - - - -	1,374	1,379	....	5	100.36
Alabama - - - - -	1,030	1,009	21	....	97.96
Mississippi - - - - -	715	651	64	....	91.05
Louisiana - - - - -	11,526	13,976	....	2,450	121.27
Tennessee - - - - -	2,796	2,728	68	....	97.76
Kentucky - - - - -	3,761	3,556	205	....	94.55
Ohio - - - - -	8,740	8,602	138	....	98.42
Indiana - - - - -	3,731	3,434	297	....	92.03
Illinois - - - - -	1,876	1,722	154	....	91.79
Missouri - - - - -	883	691	192	....	78.25
Arkansas - - - - -	248	217	31	....	87.46
Michigan - - - - -	393	314	79	....	79.89
Florida Territory - - - - -	398	419	....	21	105.27
Wisconsin - - - - -	101	84	17	....	83.15
Iowa Territory - - - - -	93	79	14	....	84.94
District of Columbia - - - - -	3,453	4,908	....	1,455	142.14
	186,467	199,778	2,853	16,164	100 to 107.12

Table VI.—Proportion of Males to Females in the Slave population of each State and Territory.

STATES.	Males.	Females.	Excess of males.	Excess of females.	Ratio of males to females.
Maine - - - - -	....	....	....	....	....
New Hampshire - - - - -	....	1	....	1	....
Massachusetts - - - - -	....	....	....	....	....
Rhode Island - - - - -	1	4	....	3	100 to 400
Connecticut - - - - -	8	9	....	1	112.50
Vermont - - - - -	....	....	....	....	....
New York - - - - -	....	4	....	4	....
New Jersey - - - - -	303	371	....	68	122.44
Pennsylvania - - - - -	35	29	6	....	82.86
Delaware - - - - -	1,371	1,234	137	....	90.01
Maryland - - - - -	45,959	43,536	2,423	....	94.73
Virginia - - - - -	228,661	220,426	8,235	....	96.39
North Carolina - - - - -	123,546	122,271	1,275	....	98.96
South Carolina - - - - -	158,678	168,360	....	9,682	106.10
Georgia - - - - -	139,335	141,609	....	2,274	101.63
Alabama - - - - -	127,360	126,172	1,188	....	99.06
Mississippi - - - - -	98,003	97,208	795	....	99.19
Louisiana - - - - -	86,529	81,923	4,606	....	94.67
Tennessee - - - - -	91,477	91,582	....	105	100.11
Kentucky - - - - -	91,004	91,254	....	250	100.27
Ohio - - - - -	2	1	1	....	50
Indiana - - - - -	1	2	....	1	200
Illinois - - - - -	168	163	5	....	97.02
Missouri - - - - -	28,742	29,498	....	756	102.63
Arkansas - - - - -	10,119	9,816	303	....	96.90
Michigan - - - - -	....	....	....	....	....
Florida Territory - - - - -	13,038	12,679	959	....	97.24
Wisconsin Territory - - - - -	4	7	....	3	176.25
Iowa Territory - - - - -	6	10	....	4	166.66
District of Columbia - - - - -	2,058	2,636	....	578	128.08
	1,246,408	1,240,805	19,933	13,730	100 to 99.55

Table VII.—Summary of the preceding tables, showing the relative proportions of Males and Females in the different classes of population in each State.

STATES.	Whole population.	White population.	Whole colored population.	Free colored population.	Slave population.
Maine - - - - -	100 to 97.78	100 to 97.89	100 to 88.19	100 to 88.19	....
New Hampshire - - - - -	104.36	104.34	116.93	116.53	....
Massachusetts - - - - -	101.92	102.12	86.27	86.26	....
Rhode Island - - - - -	106.20	105.57	129.31	129.16	100 to 400
Connecticut - - - - -	103.66	103.54	109.08	108.30	112.50
Vermont - - - - -	94.86	98.95	100.55	100.55	....
New York - - - - -	97.28	97.03	110.13	110.12	....
New Jersey - - - - -	98.42	98.57	95.90	95.11	122.44
Pennsylvania - - - - -	98.72	98.41	110.28	110.32	82.86
Delaware - - - - -	98.91	100.14	95.03	96.13	90.01
Maryland - - - - -	100.72	100.28	101.66	112.53	94.73
Virginia - - - - -	98.78	99.58	97.60	109.11	96.39
North Carolina - - - - -	101.01	101.99	99.29	102.47	98.96
South Carolina - - - - -	102.84	98.53	106.29	114.18	106.10
Georgia - - - - -	96.87	93.65	101.62	100.36	101.63
Alabama - - - - -	93.64	89.70	99.06	97.96	99.06
Mississippi - - - - -	91.68	84.12	99.13	91.05	99.19
Louisiana - - - - -	87.65	76.55	97.80	121.27	94.67
Tennessee - - - - -	97.56	96.85	99.52	97.76	100.11
Kentucky - - - - -	94.91	93.32	100.04	94.55	100.27
Ohio - - - - -	93.78	93.73	98.41	98.42	50.
Indiana - - - - -	92.38	92.39	92.07	92.03	200.
Illinois - - - - -	85.08	85.02	92.22	91.79	97.02
Missouri - - - - -	88.92	86.71	101.94	78.25	102.63
Arkansas - - - - -	85.57	82.82	96.78	87.46	96.90
Michigan - - - - -	86.52	86.56	79.89	79.89	....
Florida Territory - - - - -	82.24	69.80	97.48	105.27	97.24
Wisconsin - - - - -	64.05	63.93	86.66	83.15	176.25
Iowa Territory - - - - -	77.01	76.96	89.88	81.91	166.66
District of Columbia - - - - -	114.98	106.83	136.89	142.14	128.08
Average - - - - -	100 to 96.52	100 to 95.73	100 to 100.53	100 to 107.13	100 to 99.55



The preceding tables furnish comparative views of the population, with regard to the proportion of the sexes and their distribution throughout the United States, agreeably to the census of 1840—derived from the aggregate, published in detail on pages 232, &c. of the present Vol.

The whole population of the United States, is	17,062,566
In the Navy .....	6,100
	<hr/> 17,068,666 <hr/>

In the following calculations we shall exclude the Navy, as no details are given respecting them.

The remaining population, viz: 17,062,566, is divided into		
	Males.	Females.
Whites.....	7,249,266	6,939,842
Free colored .....	186,467	199,778
Slaves.....	1,246,408	1,240,805
	<hr/> Males. .... 8,682,141	<hr/> Females. 8,380,425 <hr/>

The proportion of males to females, taking the whole population is therefore 100 to 96.52. These proportions, as is seen in the tables varies in different States, and in the various classes.

TABLE I—Shows a sectional view of their distribution, among the New England, Middle, Southern, Western and the slave-holding States, from which it appears there are in the States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut and Vermont, 1,110,011 males, 1,124,811 females; total, 2,234,822, being in the proportion of 100 males to 101.33 females. In all these States (with the exception of Maine and Vermont,) the females are in excess. Total excess, 14,800.

In the Middle States viz: New York, New Jersey, Pennsylvania, and Delaware, there are 2,326,117 males, 2,278,228 females; total, 4,604,345—or in proportion of 100 males to 97.90 females. In all these States the males are in excess viz: 47,889.

In the Southern States viz: Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, District of Columbia and Florida, the males are in excess, there being 2,615,654 males and 2,549,591 females; total, 5,165,245—or in the proportion of 100 males to 97.51 females. Excess of males, 66,063.

In Maryland, North Carolina, South Carolina and District of Columbia, however, the females are in excess.

In the Western States viz: Ohio, Kentucky, Tennessee, Indiana, Illinois, Michigan, Missouri, Arkansas, Wisconsin Territory, and Iowa, the males are also in excess—there being 2,630,359 males to 2,427,795 females, or 100 males to 92.29 females; total, 5,058,154. Excess of males, 202,564.

In the Slave-holding States viz: Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Missouri, Arkansas, Florida Territory, and District of Columbia; there is an excess of 126,685 males. The total in these States 7,255,559, viz: 3,691,122 males and 3,564,437 females. In Maryland, North Carolina, South Carolina, and District of Columbia, the females are in excess. The proportion of males to females is 100 to 96.56.

TABLE II—Presents the number and proportions in the

different States, and the excesses of males and females of the whole population—from which it appears that the District of Columbia, furnishes the largest proportion of females viz: 114.98 to 100 males, and Wisconsin Territory the smallest viz. 64.05 to 100. In the States of New Hampshire, Massachusetts, Rhode Island, Connecticut, Maryland, North Carolina, South Carolina and District of Columbia, there is an excess of 38,804 females. The excess of males in the United States is 301,716. The newer States, have, generally, the smallest proportion of females, and the New England States the largest, caused, probably, by immigration.

TABLE III—Exhibits the proportions among the white population exclusively—it amounts to 7,249,266 males and 6,939,842 females; being an excess of males of 309,424; proportion of males to females 100 to 95.73, being less than the average proportion of the whole population of the United States.

TABLE IV—Exhibits the proportions of the *whole colored* population, which amounts to 2,873,458; or males 1,432,875, females 1,440,583; or in the proportion of 100 males to 100.53 females; being considerably above the average of the white population, which, as we have shown, was 100 to 96.52. The excess of females is 7,708. The District of Columbia furnishes the largest proportion, viz: 136.89 females to 100 males. Rhode Island gives 129.31, and New Hampshire 116.93. Michigan has the smallest proportion 97.48.

TABLE V—Shows the proportions of the *free colored* population, which amounts to 386,245; or males 186,467, females 199,778, or in the proportion of 100 males to 107.13 females, being much greater than the average of the whole colored population. The excess of females is 13,311. In the District of Columbia is the large proportion of 142.14 females to 100 males. In New Hampshire and Louisiana the proportion is also large. The smallest proportion is in Michigan.

TABLE VI—Furnishes a view of the slave population, from which it appears the slaves number 1,246,408 males, and 1,240,805 females. Total 2,487,213. The proportion is 100 males to 99.55 females, being very nearly the average of the whole colored population, agreeably to Table IV, though considerably less than that of the *free colored*, which is 107.13, yet greater than the average of the whole population of the United States. The excess of males is 5,603.—In South Carolina there is the large excess of 9,682 females, or 106.10 to 100 males, while in Virginia there is an excess of males of 8,235, or 100 to 96.39. How is this difference in the slave population, to be accounted for, in these two States? and yet the average of the whole number of male and female slaves so nearly equal! and why the difference between the slave population and the free colored, as in the former 100 males to 99.55 females, and in the latter 100 to 107.13? are there really more females born among the free, than among the slaves? or is the mortality greater among the free colored males, than among the male slaves? Upon inquiring of a free colored man, as to the fact of the large proportion of females, he thought there *were* more females than males among the free colored people of his acquaintance, and gave as an instance his own family, which, out of 11 children furnished only 2 males.

TABLE VII—Is a summary view of the proportions of the

sexes in the different classes as collected from the preceding Tables—which gives at one view all the proportions in the different States and the following results :

Proportion in the whole population	100 to	96.52
“ “ white	“ “ to	95.73
“ “ colored	“ “ to	100.53
“ “ free “	“ “ to	107.13
“ “ slave	“ “ to	99.55

In future numbers, as we find leisure to prepare them, our comparative views will be continued.

#### Death of Bishop Moore.

For a week past, has this community, and particularly that of the Episcopal Church, been kept in a state of anxiety in consequence of the dangerous illness of the Right Rev. Richard Channing Moore, (Bishop of the Episcopal Diocese,) in Lynchburg, where he had gone to discharge a service connected with his ministerial station. This anxiety was merged into deep distress on Saturday evening, by the information of his death, which took place on Friday morning, the 12th inst., in Lynchburg. His remains were brought in the boat that conveyed intelligence of his demise. This event has sorely afflicted his Church—the loss of so good, so venerable a minister, may well bear heavily upon its members ; but the dispensation which so afflicts them, imparts sorrow throughout this community ; for every body regarded this aged man of God with no ordinary feelings of veneration and attachment. For more than fifty years has he filled the station of a minister in the Episcopal Church, and no prelate ever engrossed a greater share of the love of those whose spiritual welfare he had in charge. In his intercourse with our citizens, his simplicity, his bland and gentle manner, his kind-heartedness and the unaffected dignity of his deportment, commanded the respect and love of all. No one could see the aged Bishop moving along our streets with his old fashioned and becoming dress, his silvery locks streaming o’er his shoulders, and his countenance beaming with the peace and love that dwelt in his heart, without doing him involuntary homage. There was a harmony in his character, a beauty in his life, which gave him great influence and made him beloved. What citizen is not pained at the reflection that he will no more see this good man in our streets, that he will not again see him adorning with meek and unaffected grace the sacred desk, or hear from his lips precepts of virtue and lessons of truth and wisdom ?

With peculiar propriety may we say of him, that he died “ full of years and full of honors.” At a ripe old age, after a long term of service, which was faithfully discharged, has he been taken away from his flock and the community that loved him, to rest in the bosom of his God. When reflecting upon his death how appropriately may we exclaim, “ Oh ! that I may die the death of the righteous, and may my last end be like his.”

Though at a distance from the bosom of his fond family circle, news of his illness came in sufficient time to enable some of its members, and among them a devoted daughter, to be present in his dying moments, to soften with their tender ministrations, the pangs of death. In keeping with the gentleness of his life, he sunk into the grave quietly and calm, as a child going to sleep.

The funeral took place yesterday from the Monumental Church, the same in which the deceased had so long officiated. The crowded assemblage present and the long train of citizens which followed the remains to their last earthly tenement, (in the new city cemetery,) showed the deep attachment and veneration entertained for the deceased.

In token of respect for the venerated dead, the capitol bell was tolled yesterday forenoon.

*Richmond Compiler.*

#### Commerce of Boston.

In one day, the week before last, there were at that port *forty-two foreign clearances, and seventy-four arrivals.*

#### The first Steamboat on Long Island Sound.

From an article in the New York Express, entitled “New York Thirty Years Ago,” we extract the following interesting notice of Captain Bunker, the commander of the first steamboat on the Sound.

August 14th, 1808.—Captain Elihu S. Bunker advertised to run his beautiful packet sloop between this city and Hudson. This was the first packet ever run on the river, and as an inducement to travellers, it was announced that beds and bedding were provided. Previous to this, passengers were required to provide these necessary articles of comfort. A person leaving Albany was required to provide his own beds, and the voyage altogether was one of no small undertaking. Three and even six days was not an uncommon passage.—Captain Bunker’s Line, for there were no steamboats in those days, became exceedingly popular. Persons resorted here from the east and the south, to take this conveyance to the Springs. Captain Bunker was eminently successful with his packet. Fulton, however, soon after succeeded with his first boat, and packets could not compete with them. Captain Bunker, then popular, turned his attention to steamboats, and after running on the North River for a length of time, formed the plan of building a steamboat to navigate the Sound,—this was considered a wild and visionary scheme. Bunker, however, persevered, and engaged a number of gentlemen in the scheme. The late distinguished members of the Bar, Caldwell and Emmet, both engaged in the enterprise.

In 1812, if our recollection serves us, the keel of the steamboat Fulton was laid down, under the direction of Bunker, by Adam & Noah Brown, then the most skilful ship-builders of the day. The frame of this boat, that was destined to run between this city and New Haven, was got out, and as it lay in the yard a number of the most distinguished ship masters were invited to inspect it. After a thorough examination, it was determined that it was of great strength, and that, in *calm weather*, the boat might navigate the Sound, but in storms it would be impossible. Bunker, however, persevered, and as soon as the boat was finished commenced running and continued with great success. The charm of navigating steamboats at sea in winter storms and gales, was broken by this persevering ship master. For nearly thirty years, Bunker ran his boats on the Sound, running to Connecticut and Rhode Island. During that period he built the steamers Fulton, Connecticut, Benjamin Franklin, President and we believe one or two others, all of which were run under his management through the Sound, winter and summer, without even meeting with an accident, and it is due to Captain Bunker to say, that, owing to his skill, experience and caution, no passenger ever suffered the loss of life or limb. This worthy man is now retired from active life, but is in the enjoyment of excellent health. He is now one of the inspectors under the United States to examine steamboats. A more suitable person could not be selected, nor one in whom the public have a more implicit confidence.

#### A Veteran.

Died in Union township, Licking county, Ohio, August 26, 1841, Jonathan Benjamin, in the 103d year of his age. Father Benjamin was born in Goshen county, State of New York, October 14, 1738. At the age of sixteen he enlisted in the army and served his time as a soldier true to his country. Was married in March 10, 1759, to Margaret Brown. Moved to Pennsylvania in 1774 or ’75 ; in May, 1777, the Indians broke in upon his family and family connexions, and killed and took prisoners three entire families, his only son escaping to the fort. Among the prisoners taken by the Indians, was his brother-in-law, Ezekiel Brown, late of Delaware county, Ohio. After being driven from place to place by these savage tribes, and enduring extreme suffering some six months, he removed to Maryland in the fall of 1779, thence to Pennsylvania in 1782, thence to Marietta in 1797, then to Western Virginia in 1789, thence to Licking, then Fairfield county, Ohio, in 1801, where he resided until his death.

**The New Merchant's Exchange.**

The Merchants' Exchange Company of the city of New York was incorporated by an act of the Legislature, we believe in the year 1823, with a capital of \$1,000,000, divided into 10,000 shares of \$100 each. The former building known as the Merchants' Exchange was finished in the year 1827. It was one of the most substantial and conveniently arranged public edifices in the United States; was built under the supervision of its eminent architect Martin E. Thompson, Esq. and cost the company, including the ground, about \$250,000. Its rents produced an annual revenue of \$25,000. It was burnt to the ground in the great fire of December 15, 16, 1835.

The site of the present building comprises that of the old one, and about an equal amount of land subsequently purchased by the company. It is situated in Wall street, and forms the centre around which are located the principal banking houses, insurance companies and other moneyed institutions. It is 193 feet on Wall street, 196 feet 9 inches on the rear, and 140 feet 8 inches on the right flank on Hanover street, and 190 feet on the left flank on William street. And although the ground is of such irregular shape, the architect has so skilfully arranged the building, that there is but little if any appearance of irregularity in the apartments into which it is divided.

It was built after the plans and under the superintendence of Isaiah Rogers, Esq. architect, a native of Massachusetts. The exterior walls are composed of blue granite, procured and wrought in the highest perfection of the art at the quarries in Quincy, Mass. whence it is conveyed to the sea by railroad (the first constructed in the Union) and thence in vessels to New York.

The façade of the building presents a colonnade of twelve Ionic columns, the shafts of which are in a single piece, thirty-two feet, eight inches high, four feet four inches in diameter at the base, and weigh about 33 tons each. They are fluted, and the caps and bases of the same material are so finely hammered as to present a surface almost as smooth as if it were rubbed or polished. These are the largest columns ever quarried in America. There are six additional columns in the recess in the front entrance of the building.

The rear of the edifice has pilasters or antæ, with bases and enriched capitals projecting about one foot six inches from the face of the building. The sides are plain, excepting the cornices and window-frames which are richly moulded.

The anterior of the building on all sides is divided into offices, already occupied by banks, insurance companies, engravers, stationers, brokers, &c. The ceilings throughout are of brick formed into arches, and the floors are laid with hydraulic cement; a material similar to Roman cement; an inexhaustible supply of which may be obtained from quarries in the vicinity of Kingston, near the Hudson, and about 100 miles from this city. No wood has been used in the construction of this building, and it is therefore deemed entirely fire-proof.

The centre of the edifice is to be occupied as an Exchange. This is peculiarly the department of the merchants. It is in the form of a Rotunda, 80 feet in diameter in the clear, with four recesses of 10 by 30 feet, situate at right angles. The curb of the Dome is 90 feet from the floor, and has a sky light of 110 feet in circumference, which affords the only light admitted into the Rotunda.

The interior of this room is finished in the richest, costliest and most beautiful manner. Each of the recesses have 2 Corinthian columns of Italian veined marble, 41 feet in height, and 5 feet in diameter. The antæ at the angles, the wainscoting around the entire room 7 feet 6 inches high, and all the other trimmings, as well as the floor, are of the same material. The ceiling and walls are of stucco, richly ornamented. The exterior of the Dome is covered with a copper roof, and the other sections of the building with stone.

The erection of the building was commenced in the Spring of 1836, since which time the number of hands employed on it has averaged about 250. At the time it was commenced, the late William W. Woolsey was President of the corporation; he was succeeded by John A. Stevens, who still holds that station.

The ground on which the building stands cost about \$750,000. The entire cost of the Exchange will be about \$1,100,000. The income from rents, when all the apartments are finished and occupied, will be about \$100,000.—That portion of the building which was completed on the 1st May last, and is now occupied, yields the current year about \$50,000.—*N. Y. Tribune.*

**Duty on Rough Rice.**

The Lords of the Treasury in Great Britain, on the representation of the late Minister of this country, that the second article of the Convention of July, 1815, ought to receive a different construction, in relation to the admission of rough rice from the United States, from that which has been heretofore given to it, by the late Board of Treasury, and Board of Trade, have come to the conclusion to alter the customs' law in relation to this point, and to make it conformable to the views of the provision of the Convention taken by the American Minister. They have therefore given public notice that they will propose to Parliament the equalization of the duties on rice from the United States, and the West Coast of Africa, and in the meantime directions are given, that all rough rice from the United States, on which duty has not yet been charged, shall be admitted to entry at the duty of 1d. per quarter, subject to future confirmation by Parliament, of which, however, the Lords entertain no doubt.—*Boston Patriot.*

**REPLY**

*To the Committee respecting the Frigate Raritan.*

NAVY DEPARTMENT,  
16th November, 1841.

Sir—I have the honor to acknowledge the receipt of your letter of the 13th inst. enclosing a copy of the proceedings of a large and respectable meeting of the citizens of Philadelphia, without distinction of party, relative to the immediate finishing and launching of the frigate Raritan, now on the stocks at the Navy Yard in that city. I accord fully in the views and opinions of that meeting. Convinced that we can rely on our Navy alone for the defence of our seaboard during war, and for the protection of our commerce, both in war and peace, I feel the strongest desire for an immediate and great increase, both in the number and the efficiency of our vessels of war.

Acting upon this conviction, I had determined, before I heard of any movement on the subject of Philadelphia, to give the requisite order for finishing the Raritan, which order will be immediately issued.

I am, very respectfully, your obedient servant,

A. P. UPSHUR.

ANDREW M. PREVOST, Esq. Philadelphia.

**Consecration of a Bishop.**

Yesterday morning at St. John's Church, in Thirteenth street, the Rev. Peter Paul Lefevre was consecrated a Bishop of the Catholic diocese of Michigan; he will reside at Detroit. Bishops Hughes and Kendrick, and the Rev. Mr. Engs, officiated in the ceremony, which was of the most imposing character. The church was crowded almost to suffocation.

The Rev. Mr. Kendrick, brother of the Bishop, has been appointed Bishop of St. Louis; his consecration will take place in a few weeks at St. Mary's Church.

This was the first consecration which has ever taken place in this city.—[*Public Ledger*, 22d November.

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## MESSAGE

OF GOVERNOR PAINE OF VERMONT.

*Fellow-Citizens of the Senate  
and of the House of Representatives:*

The people of this State have reposed in our hands for the ensuing year, the powers of legislation and government; and the first and most gratifying duty we have to perform in their name, and as their representatives, is to acknowledge the continued favors of Providence. The earth has yielded its annual increase, health, happiness and prosperity smile upon our land, we still enjoy the blessings of a free government, and peace is as yet within our borders. So far as regards the present condition of our State, at no period have we been called upon for a more unfeigned expression of gratitude to the Giver of all good.

The legislative provisions which you will be called upon to make for the people of this State, will be, like their wants, few and simple. The wisdom of your predecessors will furnish you with the safest guide, and it has probably left few alterations to be devised in our domestic policy. Still it is your duty diligently to consider any improvement which may be suggested, and to leave nothing undone, which may promote the general welfare.

### *Education.*

Education is a subject which cannot fail to command your earnest attention. It is true that no community can boast of more widely and universally diffused instruction than ours, and it might therefore appear useless to urge this topic upon your consideration. But we must continually bear in mind that it is not the result of accident that the people of this State, with so few exceptions, can all read and write, and have enjoyed the benefit of at least a good English education. They owe their happy and enviable condition, in this respect, entirely to the unceasing solicitude and wise legislation of our forefathers. While our State was yet almost a wilderness, those who themselves most felt the want of education, were most careful that their children should not grow up in ignorance, and the efforts they made to establish and support common schools and seminaries for the higher branches of learning, must for ever command our gratitude and admiration. Common schools have always been within the immediate reach of every child in the State, and it has been the honorable ambition of every parent to deny his children no necessary opportunity for attending them. Nor has this been the limit of their ambition. Many a generous father, while following the plough himself, has sent his children from home, that they might, by having better means of education, qualify themselves for more extensive usefulness.

It is true that all this could not be accomplished by legislation alone. But wise and wholesome laws have laid the foundation of this, as they have of all other useful social institutions.

If legislation presents the means and points to the benefits of education, there is no reason to apprehend that they will not be gladly accepted. The example and encouragement, which it is in our power to afford, are all that is ne-

cessary not only to support and preserve our present system, but greatly to extend and improve it. If our fathers have bestowed on us a better education than they had the means of enjoying, shall we fall behind them in benevolent efforts? Let us rather emulate their example, and make our endeavors surpass our abilities as they did.

While, then, I would recommend to you that scrutiny and vigilance respecting our common school system, which are so constantly necessary, and a pecuniary provision as liberal as they have annually received—I would commend to your favorable regard, our higher seminaries of learning. These are the nurseries of our professional men, and they consequently exert as great an influence on society as our common schools. If it is important that our farmers and mechanics should be well qualified for usefulness and respectability in their callings, it is equally essential that our clergymen, our statesmen, our physicians and our schoolmasters should be so in theirs.

It is hard, too, that the poor as well as the rich should not be able to reach and drink at the higher fountains of knowledge, and to no object can the bounty of the Legislature be more properly directed, than to placing the higher branches of learning within the reach of those who have not themselves the means of obtaining them without some assistance.

I would not wish to be understood in these remarks, as intending to recommend any undue profusion in the expenditure of public money. On the contrary, I should be the last to advise or consent to such a course of legislation. It is my duty to direct your attention to measures of public interest, but you are the proper judges of the fitness, expediency, and practicability of those measures. Economy, not less than intellectual cultivation, is essential to a well regulated community; and it would ill become us, while endeavoring to improve our fellow men by education, to corrupt them by an example of extravagance.

### *Geological Survey.*

Nothing in my opinion will more conduce to the advancement of the wealth and prosperity of our people, than a geological survey of the State. The time has arrived when our interests seem imperatively to require that such a survey should no longer be postponed. The earth has been sufficiently cleared of its forests to admit of the necessary examination, and the expense attending it, will be trifling compared with the benefits to be expected from it. Similar surveys have already been made in many of the States, which have opened new and highly productive sources of wealth. Very encouraging indications have already been discovered of the existence of valuable ores and minerals in different parts of the State. Agriculture will derive great advantages from the light which science cannot fail to throw upon the native character and varieties of our soil. Should useful ores be discovered, it will open a new field for industry, and by increasing the number of consumers of agricultural products, add a new impulse to the enterprise of the farmer.—Should you agree with me as to the expediency of providing for such an undertaking, I would suggest that it should embrace an examination into the botany of the State. The success of the enterprise must of course depend, in a great measure, upon the qualifications of those who may be selected to carry it into execution.



*Apportionment of Members of Congress.*

Under the census of 1840 a new apportionment of the members of the House of Representatives of the Congress of the United States must necessarily be made. It will therefore become your duty, either to direct the election, by general ticket, at the annual freemen's meeting in 1842, of as many members as may, under such apportionment, be assigned to Vermont, or to postpone the election to a day beyond the next session of the Legislature, thereby giving to that body the opportunity to make the necessary provisions on the subject.

*Abduction of Grogan.*

Communications have been received by the Executive, from the constituted authorities of Her Majesty's Province of Canada, relating to the recent outrage upon our northern frontier, in the forcible seizure, and abduction beyond the limits thereof, of a citizen of this State. I shall take an early opportunity, by special message, to lay these documents before you.

*Distribution of the proceeds of the Public Lands.*

Congress, during the last session, among other measures for the benefit and relief of the country, provided for the distribution of the proceeds of the public lands among the States. Vermont will be annually entitled, under this law, to a large sum of money, and it will be necessary that you should make provision for its receipt and safe disposal. How it shall be ultimately applied, so as to afford the greatest benefit to our constituents, will be a matter of grave deliberation after it shall have been received.

Vermont has not followed the example of many of her sister States in embarking in expensive works of internal improvements. Recent events have abundantly proved the wisdom and prudence of this course. Vast benefits to the community are doubtless to be derived from such undertakings.—They are perverted, very clearly, when they end in a prostration of public credit. When there is any uncertainty as to the adequacy of income to be derived from them, they should be engaged in with the greatest caution. Still their advantages should never be lost sight of. They are especially important to a country situated like ours, remote from market, and where the nature of our produce does not admit of expensive transportation. In proportion, too, as other parts of the country enjoy greater facilities of communication with the markets on the sea-board, is the value of our lands and of their produce diminished. It is not to be feared that the vigilant sagacity of our people will overlook considerations like these; and at no distant period we may expect that public attention will be actively directed towards a subject of so much interest. When the enterprise of other States shall have brought, as they soon will bring, their railroads to our borders, the means, I am satisfied, will not be wanting, of continuing them through our own State. Foreign and domestic capital, and individual enterprise, will unite to accomplish the object, and the State, by husbanding its resources with reference to such an event, may undoubtedly hasten its arrival.

*Protection to domestic industry.*

There are other subjects of legislation, which are not less interesting and important to the inhabitants of this State, but over which you can have no immediate control. I refer to those powers which have been delegated to the government of the Union, for national purposes, and to be exercised for the general benefit. But although thus delegated, they ought not to be lost sight of by the Legislatures of the States. On the contrary, so vastly important is their exercise to our prosperity, that it is our imperative duty to satisfy ourselves that they are not permitted to lie dormant in the hands of those to whom they are delegated, and that they are exercised in such a manner as will promote the public welfare. This duty is the more incumbent on us, because it is also our right, if it should appear that the powers of the General Government have been insufficiently or unwisely granted, to apply a remedy by uniting with the other States in an amendment of the Federal Constitution.

The exercise of none of these powers is of such vital importance to the agricultural interest of this State, as that which enables Congress to afford protection to domestic industry, by imposing duties on the importations of foreign products.

An entire prostration and stagnation of business, arising principally from the absence of any effective protection to domestic industry, while the States remained separate, led, more immediately than any other cause, to their union. To remedy the evil, steps were taken, at the earliest period after the adoption of the Federal Constitution, to establish a discriminative system of revenue from duties on imports; and the country, under its operation, emerged, with unexampled rapidity, from embarrassment to wealth, power and national greatness. For more than thirty years, the constitutional power of Congress to impose duties for the purpose of protection, remained unquestioned. Every successive Congress exercised the power without the suggestion of a doubt as to its constitutionality; and if the Constitution itself had not been, as it is, perfectly clear on the subject, yet time, usage, constant legislation, and universal acquiescence, have fully established its possession by the General Government. After all this, however, after a generation had passed away, and when the pursuits and business of the country had been built up, upon the basis of protection, it suited sectional and party purposes to object to it on the ground that it was unconstitutional; and, strange and unjust as it may seem, a long established system of laws, designed to encourage and protect domestic industry, has been, for the present, at least, abandoned—not because the people of the country so willed it, but because a single Southern State, denying the constitutionality of such legislation, threatened violently to resist the execution of these laws. And this has been termed a compromise—a compromise which yields all that is demanded to violence and a breach of faith, and quietly consents to the ruin of a vast portion of the country for the exclusive benefit of a comparatively small section.

It is needless to say much of the causes which have thus led to a discontinuance of protection to domestic industry. A remedy for such an evil can be found only in the intelligence and spirit of that portion of our countrymen, to whose existence such protection will be found to be almost indispensable. I am not aware that you, as legislators of this State, can directly participate in applying a remedy; but you can at least urge upon our delegation in Congress your deep and abiding conviction of the strong necessity of shielding, by an adequate tariff, the domestic industry of the country, against competition with the pauper labor and solid capitalists of Europe.

If the Constitution of the United States does not already authorize Congress to afford such necessary protection to domestic industry, language would fail to accomplish the object, and any amendment of the Constitution would be fruitless. The States have surrendered to the General Government all power over the subject. When they gave to Congress exclusively the power to lay duties, they deprived themselves for ever of all power to protect domestic industry. They surrendered this power to Congress, to the extent to which they possessed it themselves, and for the same purposes, for which they themselves might have used it, not only for the purpose of revenue, but of protecting the industry of our citizens against ruinous foreign competition. If Congress do not possess this power, then the States themselves possess it—for the States have retained all power which they have not granted to the Government of the Union. But nothing would be more absurd than a construction of the Constitution which would thus distribute the power of laying duties, giving it to Congress for purposes of revenue, and to the States for the purpose of protection.

It would be superfluous to attempt to show that a protective tariff is essential to the prosperity of this portion of the Union. The value of our agricultural products, and especially of wool, depends entirely upon the success of our manufactures, and every farmer in Vermont is deeply interested in saving them from the ruin which, it is feared, is impending over them. We cannot raise wool for exportation, and if we abandon wool growing, what are we to do with

other kind of produce which we may raise in its place?—Wool will not be received in foreign countries which have supplies of their own, and who in our own country will consume it, when manufactories shall have been destroyed and manufacturers, who have been its consumers, are compelled to cultivate the soil as their only mode of subsistence?—What would our farms or our produce be worth, if those now engaged at the loom should come back to the plough? We could hardly give away the contents of our overburdened granaries. Manufactures are yet in their infancy, and although during the short period of their existence, they have acquired strength with unexampled rapidity, they cannot be supposed to be stronger than those in older countries, where they have been much longer established, and where labor is cheapest. Yet in all countries, protection has always been found to be necessary to their existence; and no government on earth has ever been so blind to its own interests and those of its citizens, as to permit free trade with other countries, in articles of its own manufacture. There are two very sufficient and obvious reasons for this. One is, that a free or reciprocal trade among different nations never has been, and probably never can be established. The other is, that to allow one country, whenever it might choose, to inundate another with its surplus manufactures, reduced in value at home by excessive production or bankruptcies, would be to ruin those engaged in the same business in the importing country. Steadiness is the safety and fluctuation the destruction of trade.

England, with a modesty peculiar to herself, proclaims and advocates the doctrines of free trade, for the benefit of other nations, while for her own benefit she practices upon a directly opposite system. In thus advocating free trade she is seconded by the Southern planter. But neither from the one nor the other can we consent to receive instruction. They have their interests, and we have ours. We have also the capacity to understand, and I trust, the resolution to maintain our rights.

#### *Amendments to the Federal Constitution.*

The attention of the people of the whole Union has been directed, by events which have occurred within the last few years, to certain amendments which are deemed essential in the Federal Constitution. The undue stimulus to ambition which is thought to be supplied by the prospect of the Presidential office being enjoyed by its occupant for a second term of four years, has created great alarm for the balance of the powers of the General Government. Experience has certainly proved, that if there is any danger of that balance being destroyed, it arises from the constant efforts of the Executive department to extend its patronage and power. That such efforts have frequently been made, to enable the President to secure a re-election, can hardly be doubted; and it is to be feared that they will continue to be too often made, so long as human nature remains unchanged.

A general complaint, arising from the same well grounded apprehension, exists as to the President's power of removal from office. The constitution directly gives him no such power, but he has been allowed to take it by implication. It is difficult to imagine how it should ever have been derived from that provision in the constitution which authorizes him to nominate "and by and with the advice and consent of the Senate, to appoint" all officers.

The President and Senate are jointly made the appointing power, and in the absence of all other provisions on the subject, one would have supposed they must also be jointly the removing power. But the President claims to exercise it alone, and more frequently exercises it without any cause, except for the political opinions of those removed, than from an impartial regard to the faithful performance of the public service, which forms the sole argument in favor of its existence. For if the Constitution designed to give such a power to the President, it must have been for the purpose of enabling him to make removals required by the public good. But it has been perverted to a totally different purpose; that of enabling him to reward his supporters, strengthen his influence, and secure his own re-election.

Another similar subject, to which I would invite your

particular attention, is the power of the President to veto bills which have been passed by both Houses of Congress. This is the only monarchical feature in our form of government, and it is difficult to understand how it should ever have been engrafted upon republican institutions. It was probably taken, without much reflection as to its consequences, from the British Constitution, which vests similar power in the king; but only to protect his own prerogative from encroachment. Even for this purpose, however, it has not been exercised by him for more than two centuries. The early settlers of Vermont were too jealous of liberty to allow such a power any place in our constitution.

To form a just notion of the magnitude of the veto power, as it may be exercised by the President, we must keep constantly in view, that to prevent the passage of wholesome and necessary laws, is as bad as to pass those which are mischievous. The power to make all laws, might be as properly entrusted to the President, as the power to prevent all laws. The history of all legislation proves that a majority of two-thirds can seldom be obtained on disputed questions; and to allow the President to resist the enactment of such laws as he pleases, unless passed by so large a majority, is in effect, to repose in one man almost the entire power of legislation. But the President not only claims the right to exercise the veto power whenever he pleases, but to exercise it as he understands the Constitution, without any regard to the decision of the Supreme Court, or to the precedents established by his predecessors. He appears to be uncontrolled in its exercise, either by law or precedent, and to have nothing to consult but his own conscience, and nothing to regard but his own character for consistency.

If he is right, we may bid farewell to all stability in our institutions. Every four years the laws of the country may be changed, and its business embarrassed and destroyed by the constitutional scruples of a new President. "The tariff,"—the bank,—the distribution of the revenue from the public lands,—internal improvement,—all the great measures for the welfare of the country, will be constitutional or unconstitutional, just as the President may happen to be selected from one part of the Union or the other.

I submit to your consideration whether it is not expedient to propose an amendment of the constitution, which shall render the President ineligible to a re-election, and which shall modify his powers of removal from office, and of preventing the passage of laws by Congress.

For myself, I confess that I cannot doubt that, if such amendment should be adopted by the requisite number of States, it would greatly contribute to perpetuate our free government.

I have thus expressed my views on these important subjects, freely and frankly. They are, however, opinions on matters of opinion, on which we are all at liberty to differ. The discussions of a deliberative assembly are likely to lead to more just conclusions than the reflections of an individual, unaided by the reasonings of others; and I shall rather yield to your judgment, than wish you to be governed by mine.

Grateful for the manifestation of your confidence and regard, which has summoned me from the business of private life to a station so conspicuous as that to which I have just been called, I commend all your deliberations to that Omniscient Power, whose purpose we have fondly hoped it might be, to build up institutions in this country, which would be favorable to human liberty and the improvement of mankind.

CHARLES PAINE.

Montpelier, October 18, 1841.

#### *Unprecedented Despatch.*

The United States Mail Brig Hayne, Captain Morris, arrived at Charleston on Thursday last from the Havana.—She performed her trip to that port and back exactly in 12 days and 10 hours, including stoppages both ways, at Indian Key and Key West, discharging at the Havana her outward cargo of 180 tierces rice, and taking in 300 bags of coffee.

### The right of Search.

#### *Suppression of the Slave Trade.*

The United States.—The following are extracts from correspondence with Foreign Powers, not parties to conventions giving right of searching vessels suspected of slave trade, recently presented to both Houses of Parliament by command of Her Majesty :

*Mr. Stevenson to Viscount Palmerston.*

37, Upper Grosvenor Street, Nov. 13, 1840.

(Received Nov. 14.)

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has been instructed by his Government to transmit to Lord Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, the accompanying papers, containing the evidence of another unwarrantable search, detention, and ill-usage of an American vessel and her crew, on the coast of Africa, by one of Her Majesty's cruisers employed for the suppression of the slave trade, and which, in the opinion of the President, forms a proper subject for complaint and satisfactory retribution.

The following are the prominent facts of the case :

The American brig *Douglass*, of Duxbury, in Massachusetts, of 200 tons burden, and commanded by Alvin Baker, master, and William Arnold, mate, sailed from the Havana on the 5th of August, 1839, laden with a cargo of merchandise, and having sundry passengers on board, for the port of the river Bras.

That on the 31st of October, this brig, whilst pursuing her voyage, was boarded by Lieutenant Segrain, from Her Majesty's brigantine cruiser, the *Termagant*, with some of her crew, who proceeded forthwith to overhaul the ship's papers and passengers' passports; ordered the hatches, which were closed, to be broken open, the American flag which was then flying to be hauled down, and the vessel seized as a slaver.

That the captain's papers and log book were then demanded, and taken on board the *Termagant*, and the *Douglass* committed to the charge of a master and crew from the British cruiser, who immediately ordered the sails to be set, and proceeded to sea.

At 6 o'clock, P. M., ten men were sent on board with arms and provisions, and the passengers taken to the *Termagant*, and both vessels then made sail, and stood to the westward.

That on the 23d of October, about daylight, the *Termagant* came along side of the *Douglass*, with the purser and one of her passengers, for stores and provisions, and then returned to the cruiser.

That from the 21st to the 26th of October the American brig continued in charge of her cruiser, when they parted, and lost sight of each other, the brig, however, still continuing in possession of the officer and men from the *Termagant*.

That on the 28th, and to the westward of Popoe, on the African coast, the *Termagant* again appeared alongside of the *Douglass*, and hove to; sent the supercargo and purser on board, ordered Capt. Baker on board the cruiser, and Lieut. Segrain then delivered to him his papers, with permission to proceed on his voyage.

The passengers were also permitted to return to the *Douglass*, and the *Termagant* having taken her prize-crew and officer on board, the *Douglass* made all sail for the river Bras.

That on the 6th of November, the *Douglass* anchored in the Nun, a river on the African coast, which she left on the 14th of December, and proceeded in ballast to Curracoa, where she arrived on the 23d of January, 1840.

That on the 6th of February, she sailed from Curracoa with a cargo of salt for the Havana, which she reached on the 21st of that month.

That in her passage on the pestilential coast of Africa to Curracoa, the *Douglass* lost three of her crew; two American seamen, viz: Hamilton Day of Providence, and Andrew Clough of Boston, and Frederick Walton, a British subject, were taken ill and died.

That the *Douglass*, at the time of her sailing from the Ha-

vana, was tight, staunch, and strong, had her hatches well caulked and covered, and was well and sufficiently manned and provided with all things needful for her voyage, and was in that state when she was boarded and literally captured by the British cruiser.

Such are the facts detailed in the protest of the captain and mate, herewith transmitted, and which, it is presumed, can leave no doubt as to the unprovoked and flagrant character of the proceeding, or the reparation due to the rights of the United States, and the honor of their flag.

In presenting the subject to the notice of Her Majesty's Government, it cannot be needful that the undersigned should do more than refer Lord Palmerston to the correspondence which has heretofore taken place between the two Governments, and more especially to the three notes which the undersigned had the honor of addressing to his Lordship, under dates of 5th of February, 15th of May, and 11th of August last, and to express the painful regret which the Government of the United States feels that the remonstrances which have been heretofore made should have proved unavailing in preventing the repetition of such abuses as those which have so repeatedly been made the subject of complaint against Her Majesty's naval officers.

Her Majesty's Government cannot be insensible of the strong desire which the Government of the United States, and the nation at large, feel in the complete annihilation of the African slave trade.

The course pursued for the last 30 years is best calculated to mark the feelings and opinions of the Government and people of the United States in relation to a traffic now properly regarded by most civilized nations as alike repugnant to justice and humanity, and which, in relation to the United States, is not the less so to all the dictates of a sound policy.

It is true that the American Government have declined to become a party in treaties with other nations for the suppression of the slave trade. Although repeatedly urged by Her Majesty's Government to do so, the United States have been forced to decline all conventional arrangements, by which the officers of ships of war of either country should have the right to board, search, or capture, or carry into foreign ports for adjudication, the vessels of each other engaged in the slave trade. Indeed, it may be well doubted, apart from other considerations, whether the constitutional powers of the American Government would be competent to carry into effect those portions of the existing system so indispensably necessary to give it the character of just reciprocity.

These objections on the part of the United States have been repeatedly and frankly made known to Her Majesty's Government, and are doubtless well understood by the British Cabinet; and the more especially so, as it was an obstacle proceeding from the same principle which it is presumed prevented Great Britain herself from becoming formally a party to the holy alliance. It will not, however, be understood that the United States have been insensible to the friendly spirit of confidence with which these applications have been made on the part of Her Majesty's Government, or that the United States have ceased to feel that strong solicitude for the total annihilation of the traffic, which has distinguished the whole course of their policy.—On the contrary, having been the first to abolish, within the extent of their authority, the transportation of the natives of Africa into slavery, by prohibiting the introduction of slaves, and by punishing their own citizens for participating in the traffic—and having, moreover, taken the steps which it deemed proper to prevent the abuse of their flag by the subjects of other powers, the Government of the United States cannot but feel sincere gratification at the progress made, by the efforts of other nations, for the general extinction of this odious traffic, and, consequently, undiminished solicitude to give the fullest efficacy to their own laws and regulations on the subject.

They cannot, however, consent that the provisions of the treaties in force between Great Britain and other Powers for its abolition, and to which they are not a party, should be made to operate upon the commerce and citizens of the United States. It cannot but be apparent to Her Majesty's Government that these treaties are of a nature which cannot,

and ought not, to be applied to the United States, under any restrictions or modifications whatever, and the more especially as they have neither colonies, nor the means of carrying out those measures of maritime policy and surveillance which form the basis of these treaties and are so indispensably necessary to their execution.

In withholding its assent, therefore, from the existing system, and abstaining from all conventional arrangements yielding the right of search to the armed vessels and cruisers of each other, Her Majesty's Government must be sensible that the United States have been influenced alone by considerations arising out of the character of their institutions and policy, and that having taken the measures which it deemed to be expedient and proper in relation to this subject, the Government of the United States can only leave to other nations to pursue freely the course which their judgment or policy may dictate, and in relation to which the United States certainly can have no disposition to interfere.

The undersigned has therefore been instructed, in presenting this case to Lord Palmerston's notice, again in the most earnest manner to assure his Lordship that these continued violations of the flag of the United States, and unprovoked wrongs inflicted by British cruisers upon the rights and property of its citizens, under whatever color or pretext, cannot longer be permitted by the Government of the United States; and that he has accordingly been instructed to express to his Lordship the confident expectation of the President of the United States, that Her Majesty's Government will not only at once recognise the propriety and justice of making prompt retribution for the unwarrantable conduct of Lieutenant Segram in the present case, but that it will take suitable and efficient means to prevent the future occurrence of all such abuses, involving, as they often do, not only great private wrong and consequent injury to property and life, but calculated to interrupt that harmony, which it is for the advantage, and it is no doubt the desire, of both Governments to preserve.

The undersigned prays Lord Palmerston to accept assurances of his distinguished consideration.

A. STEVENSON.

The Right Hon. Viscount Palmerston, G. C. B.

[Copies of the protest and charter-party accompanied the despatch.]

*Viscount Palmerston to Mr. Stevenson.*

Foreign Office, November 19, 1840.

The undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has received the note which Mr. Stevenson, Envoy Extraordinary and Minister Plenipotentiary of the United States, addressed to him on the 13th instant, complaining, on the part of the United States Government, of the conduct of Lieutenant Segram, of Her Majesty's brigantine Termagant, in having detained the United States brig Douglass.

The undersigned has to assure Mr. Stevenson that Her Majesty's Government will at all times be desirous of repressing and preventing any violation of the flag of the United States by officers of the British Navy.

With this view, indeed, Her Majesty's Government, previously to the receipt of Mr. Stevenson's note of the 13th instant, had, on receiving from Lieutenant Segram an account of the transaction referred to, called upon that officer to explain more fully and particularly the grounds upon which he had considered himself justified in detaining a ship under American colors, and with papers showing her to be American property.

Her Majesty's Government have now directed a prompt and searching inquiry to be made into the facts of the case, as stated in Mr. Stevenson's note, and the undersigned will not fail to communicate farther with Mr. Stevenson upon the subject so soon as Her Majesty's Government shall have learned the result of the inquiries instituted.

PALMERSTON.

A. Stevenson, Esq. &c.

*Mr. Stevenson to Viscount Palmerston.*

32, Upper Grosvenor street, Nov. 20, 1840.

(Received November 20.)

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honor to acknowledge the receipt of the note which Lord Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, addressed to him yesterday in reply to that of the undersigned of the 13th instant, complaining of the conduct of Lieutenant Segram, of Her Majesty's brigantine Termagant, in relation to the American brig Douglass, off the coast of Africa, and will take the earliest opportunity of transmitting it for the information of this Government.

The undersigned derives, in the meantime, much satisfaction from the prompt and friendly assurance of Lord Palmerston, that previously to the receipt of the note of the undersigned, Lieutenant Segram had been called upon to explain fully and particularly the grounds upon which he had considered himself justified in detaining a ship under American colors, and with American property, and that Her Majesty's Government had further directed a prompt and searching inquiry to be made into the facts of the case.

A. STEVENSON.

The Right Hon. Viscount Palmerston, G. C. B. &c.

*Viscount Palmerston to Mr. Fox.*

Foreign Office, December 3, 1840.

Sir—With reference to my despatch of the 12th of June, 1840, relative to a vessel, named the Pilgrim, which had sailed from Rio de Janeiro under the flag of the United States, laden with slave trade equipments, for the coast of Africa, I herewith transmit to you, for communication to the Government of the United States, the accompanying extract from a despatch from Her Majesty's Commissioners at Rio de Janeiro stating that the Pilgrim had returned to that port in ballast, after having landed a cargo of slaves.

PALMERSTON.

H. S. Fox, Esq. &c.

[An extract from the Rio Commissioners' despatch of August 11, 1840, was enclosed.]

*Viscount Palmerston to Mr. Stevenson.*

Foreign Office, Dec. 8, 1840.

Sir—I have to acknowledge the receipt of your letter of the 10th inst.\* together with its enclosures, on the subject of the African slave trade, and I beg to express my thanks to you for that communication, and for the information which it contains.

With reference to the suggestions contained in the papers enclosed by you, that a blockade should be instituted at the Gallinas and at New Cess, as an effectual means of putting down the slave trade, I have much pleasure in acquainting you that a blockade has for some time past been regularly maintained at the Gallinas by Her Majesty's ship Wanderer, and by other vessels under the direction of its commander, and at New Cess, by Her Majesty's ship Forrester.

With reference to the supposition of the writer of the paper which you have sent me, that British cruisers abstain from taking vessels before they have slaves on board, in order that, by capturing such vessels after they have taken their slaves on board, the captors may get more prize money, I have to explain to you, that it is only since the passing of the act of 1839 that there has existed any legal authority to

\* *Sic* in the printed papers laid before Parliament; but there is obviously an error as to dates, a despatch of the 8th being made to acknowledge the receipt of a letter dated two days afterwards.



condemn Portuguese ships, detained for being equipped for slave trade, and not having slaves actually on board; and therefore, until that act came into operation on the coast of Africa, Her Majesty's vessels could not detain Portuguese slave vessels, until they had actually taken their slaves on board; but with regard to Spanish vessels, the treaty of 1835 between Great Britain and Spain gave to the mixed British and Spanish commission a power to condemn slave vessels under the Spanish flag, if found equipped for the slave trade, even though they might have no slaves actually on board; and during the period which has elapsed since that treaty has been in operation, Her Majesty's cruisers have taken, and sent in for adjudication, 85 Spanish slavers without slaves on board, and since the year 1835 Her Majesty's cruisers on the coast of Africa have detained and sent in for adjudication 14 Brazilian vessels without slaves on board, and only two with slaves on board.

You will see, therefore, from these facts, that the writer of the paper in question is entirely mistaken in supposing that the British cruisers on the coast of Africa look to profit instead of the performance of their duty; and I have further to state, in proof of the zealous activity of the British cruisers, that all the slave vessels sent in for adjudication before any of the mixed commissions, whether in Africa, the West Indies, or in Brazil, have been detained and sent in by British cruisers, not one of those vessels having been detained by the cruisers or any of the other contracting parties to the treaties under the stipulations of which those slave vessels were condemned.

PALMERSTON.

A. Stevenson, Esq.

*Viscount Palmerston to Mr. Fox.*

Foreign Office, Dec. 17, 1840.

Sir—I received your despatch, of the 1st of April last, and in compliance with the wish therein expressed, on the part of the United States Government, to be furnished with documentary evidence touching the facts disclosed in the case of the United States slave schooner Rebecca, I directed Her Majesty's Commissioners to furnish me with any evidence in their possession on the points referred to; and I now transmit to you, for communication to the United States Government, a copy of a despatch from Her Majesty's Commissioners, enclosing certified copies of papers connected with the case of the vessels abovementioned.

PALMERSTON.

H. S. Fox, Esq., &c.

### Imprisonment for Debt in New Jersey.

The following resolutions were adopted at a meeting of Hudson County, lately held at Jersey City:

Resolved, That this meeting view imprisonment for debt as a relic of barbarism, and the legislative act authorizing the same, as a disgrace and stain upon our statute book.

Resolved, That, as by one of the articles of our Constitution, power was delegated to Congress to pass uniform laws on the subject of bankruptcies throughout the United States, it is evident that the framers of that admirable instrument had in view, at the time of its formation, the abolishment of imprisonment for debt throughout every section of our country.

Resolved, That the passage of the Bankrupt Law at the last session of Congress, clearly demonstrates that the people of these United States, through their representatives, have expressed a decided opinion, that imprisonment for debt is subversive of their true interests, and ought to be abolished in this land of liberty.

Resolved, That as all men who are engaged in business, of whatever kind or character, are liable to reverses and misfortunes; and as every State that has protected its citizens, is entitled to their services, we regard those laws which are calculated to drive the unfortunate debtor from our borders, as prejudicial to our best interests.

Resolved, That we consider it not only a sin against hospitality, but a great detriment to our prosperity as a free and enlightened people, that men who have contracted debts in other States, where they cannot be held to bail, should be daily watched for by the officers of the law, and imprisoned the moment they land upon our shores, which in fact encircles our state with a wall, calculated to prevent that freedom of intercourse with the sister States of the confederacy, so essential to our mutual welfare.

Resolved, That the inequality and diversity of the laws, in the several States of the Union on the subject of imprisonment for debt, clearly militate against the spirit of that clause of the Constitution which guarantees the same privileges to the citizens alike of all the States.

Resolved, That we consider it an insult to justice and the public sympathy, that the unfortunate debtor should be placed upon a par with the convicted criminal, and be immured within the same walls, and suffer the same privations.

Resolved, That we disavow the doctrine, that a man who sells another his goods or lends his money, can thereby obtain the power of restraining the personal liberty of his debtor, and deprive him of intercourse with his family, and of the society of his friends.

Resolved, That we honor the proud stand taken by New Hampshire, Massachusetts, Vermont, New York, and other States, in behalf of the poor and unfortunate debtor, and trust that New Jersey, whose history is illustrious for her self-sacrificing devotion to the great interests of humanity, will speedily imitate their illustrious example.

Resolved, That the State of New Jersey, among the first and foremost to pour out her best blood in achieving our glorious independence, ought not to be the last in carrying out in practice those great principles of freedom and equality, which were the polar star that guided them to the glorious result.

Resolved, That we will use all honorable means to effect the contemplated object of this meeting.

It was then further Resolved, That a Committee of Thirty be appointed to carry out the views of this meeting.

[*Jersey City Advertiser.*]

### The Western Railroad—Winter Tariff.

In anticipation of the opening of the line between Boston and Albany the first week in December, the Directors of the Western and Worcester Railroads have agreed upon the following scale of charges for the winter business:—

	1st class.	2d class.
Between Boston and Albany,	\$5½	\$3½
“ Pittsfield,	4½	2¾
“ Springfield,	3	2
Albany and Worcester,	4¼	3¼
“ Springfield,	3	2
“ Pittsfield,	1½	1

Merchandise will be divided into four classes.

The first class comprising silks, spices, teas, cases of bonnets, fine goods, hats, shoes, &c. taken through at 50 cents per 100 lbs.

The second class comprising butter, cheese, groceries, hides, leather, hams, cotton, domestics, (carried through) for 40 cents per 100 lbs.

The third class, pork, and fresh meat in bulk, lime, marble, plaster, pig iron, lumber, salt, grain, roots, (carried through) for 32½ cents per 100 lbs.

The fourth class, flour, taken through for 50 cents per barrel.

The charges will be as follows, on—

	1st class.	2d.	3d.	4th.
Boston & Albany, for 100 lbs.	50 cts.	40 cts.	32½ cts.	25 c.
“ Pittsfield	40	30	24½	25
“ Springfield	27½	22½	16¼	22½
Albany & Worcester	40	30	24½	25
“ Springfield	27½	22½	16¼	22½
“ Pittsfield	15	12	10	15

[*Boston Transcript.*]

### Important Invention.

A most invaluable invention for the saving of labor, and the cheapening of the cost of manufacturing hemp, has been made by Andrew Caldwell, of Lexington, Ky. It is in full operation in that city, and in the manufacture of bagging takes the raw material through all the processes of hackling, spinning and weaving. The machinery is very simple; and the Lexington Observer says: "Mr. Caldwell informs us that he is enabled to manufacture bagging at a cost of three cents, at the highest per yard, which is a saving of from *five* to *six* cents over the old mode of making the article. This includes the whole cost of running the machinery, hire of hands, &c. Should he be right in his calculation, which we have no reason to doubt, then is his invention vastly superior, not only to the old mode, but to all others that have been tried. We ourself timed the loom, and it wove at the rate of thirty yards an hour; manufacturers can, therefore, form an idea of the difference between this and the old mode. At the rate of weaving which we witnessed, putting the working time at 12 hours, 360 yards of bagging a day is the result. It certainly would be a fair estimate to place the quantity at 250 yards a day—when this is compared with the old method of manufacture, by which one loom is only enabled to produce from 40 to 50 yards a day, the difference is indeed striking. According to this method, ten hands are said to be equal to from twenty to twenty-five in the old mode."—*St. Louis Era*.

### The Big Mound.

Every one who knows St. Louis knows of the large mounds at the upper end of the city, and the speculations which have, at various times been entertained of how they were formed and for what purpose. On Sunday last some discoveries were made in the Big Mound which seem to leave no doubt that it is an artificial formation, repository for the dead, and of much more recent formation than has generally been supposed. The discoveries were made in this manner:

The side of the Mound where the path led up to the top, had been washed, and exposed parts of a coffin. Some gentlemen passing observed it and went to work to dig it out.—This they did, and laid bare a coffin of large size containing the decayed remains of a large person. The coffin was a box made of cypress wood, wider at the head than the foot, flat lid, and put together with cut nails; the lid screwed on with ordinary iron screws. We have seen a portion of the coffin containing one of the screws. We mention this to show that the burial was of much more recent date than has been generally supposed, and the formation of at least a portion of this mound has been made since the introduction of European manufactures into the country, yet there remains no tradition or history of the time when or by whom they were made.

The coffin was placed on the top of the mound and had been buried several feet below the surface, as the foot of it, notwithstanding the washing away of the earth from the top was at least two feet below the surface. It had been laid in a horizontal position; the head to the South and the feet to the North.

The body was greatly decayed, the head entirely gone, (it is supposed the head had not been buried with the body,) and the only bones which remained in a tolerable state of preservation, were of the legs and arms. It had been wrapped in a blanket of European manufacture, portions of which remained undestroyed by the decay, and which we have seen, but much the larger portions were destroyed. By the left hand was a quantity of vermillion, which it was supposed had been placed in the hand of the corpse. On the bones of one of the wrists were two steel bracelets, very much eaten by the rust; the largest appeared to have been covered with characters, but was so corroded as to render it impossible to decipher them. In the coffin was also found the queue or hair, about a foot long and plaited, and besmeared with vermillion paint.

These are the particulars, so far as we have heard them, of the discoveries made in this instance; a further examina-

tion would doubtless lay bare many more subjects for speculation and wonder. The person buried was evidently an Indian, but the head being gone it is next to impossible to tell to what tribe he may have belonged. It is evident, however, from all the facts found, that this body has been interred within a period even short of the foundation of St. Louis; and from the appearance of the wood of the coffin and the other materials found, it might have been within the remembrance of some of the old citizens. At all events, it is a subject of interest to the curious, and may lead to more important discoveries as to the origin and manner of forming these and other mounds which abound in the West and by whom they were erected.

### Port of Lancaster.

The arrival of the steamboat "Edward Coleman," at Lancaster, is thus announced in the papers of that city.—The incident may well cause exultation, as it forms a new and important era in the prosperity of that city.

### Port of Lancaster.

*Arrival of a Steamboat on the Conestoga!—Huzza.*

We find the following gratifying intelligence in the "Intelligencer" of yesterday:

The Steamboat "Edward Coleman," arrived yesterday at 12 o'clock, from Philadelphia, via the Susquehanna Canal and Conestoga Slackwater Navigation, and is now lying at Graeff's Landing! So that our ancient city is at last a *Port of Entry*! The genius of her native son, Fulton, is about to be felt practically within her own borders!

We learn that the "Edward Coleman" is a very excellent boat, and has already towed several craft across the dam, at "the mouth," now very nearly complete—performing her trips with perfect ease and great despatch. This too was done, let it be remarked, when the dam was in an unfinished state. We record this as a new era in the history of our city.

### The Steamboat Troy.

This noble vessel on Thursday made her last trip for the season, and the feeling manifested at the various landings upon her approach and departure for the last time, evidenced her well earned popularity. The performance of the Troy has certainly been more satisfactory than ordinarily occurs with boats that are compelled to run day after day throughout the season. She has made 170 successive passages between New York and Troy, a distance of 160 miles, each passage averaging about ten hours, excluding the time lost in making the landings. In 70 days and 20 hours she has traversed more than the circumference of the earth, having in that time accomplished a distance of 27,200 miles, and that too without accident, delay or injury to passengers, engine or boat, showing that speed is not incompatible with comfort, convenience and safety; and that for the full enjoyment of all these, it is only necessary, as in the case of the "Troy," to give the travelling public a well modelled boat, gentlemanly officers, civil and obliging crew, a prudent and skilful engineer, and a pair of engines prepared to do the work required of them.—[*N. Y. Courier*, Nov. 27.

### Sheep Husbandry.

According to the best calculations, there are 31,000,000 sheep in the Union. This is an increase of about 5,000,000 within the three last years. These are worth at a fair calculation \$70,000,000. About one-fifth of all these, are found in the single State of New York. These sheep, at three sheep to the acre, would require 11,000,000 acres for their keep, worth \$12 per acre, making the amount of 132,000,000 invested in lands.

Aggregate amount invested in sheep husbandry in the United States is—

In sheep ..... \$ 68,000,000

In land ..... 132,000,000

\$200,000,000

The annual crop of wool is estimated at 90,000,000 lbs. and worth nearly \$40,000,000.—*Cultivator*.

Statement exhibiting the number of American and foreign vessels, with their tonnage and crews, which entered into the United States from foreign countries, during the year ending on the 30th September, 1840.

FROM	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Russia.....	51	15,724	624	18	11	2,820	121	...	62	18,544	745	18
Prussia.....	3	536	25	2	....	....	....	...	3	536	25	2
Sweden.....	23	7,145	273	6	40	10,899	485	4	63	18,044	758	10
Swedish West Indies....	16	1,655	83	1	....	....	....	...	16	1,655	83	1
Denmark.....	....	....	....	....	1	286	12	1	1	286	12	1
Danish West Indies.....	187	28,375	1,293	13	11	1,412	84	4	198	29,787	1,377	17
Holland.....	53	15,133	590	11	18	3,986	178	5	71	19,119	768	16
Dutch East Indies.....	7	2,364	105	9	1	370	14	...	8	2,734	119	9
Dutch West Indies.....	50	7,820	352	4	9	893	70	...	59	8,713	422	4
Dutch Guiana.....	35	6,214	291	1	....	....	....	...	35	6,214	291	1
Belgium.....	29	9,435	356	8	2	582	23	...	31	10,017	379	8
England.....	760	368,772	13,323	202	249	128,001	5,164	102	1,009	496,773	18,487	304
Scotland.....	25	8,729	317	5	29	12,865	516	17	54	21,594	833	22
Ireland.....	3	965	41	2	28	11,922	438	33	31	12,887	479	35
Gibraltar.....	10	2,155	86	1	....	....	....	...	10	2,155	86	1
Malta.....	1	145	7	....	....	....	....	...	1	145	7	....
Mauritius.....	1	257	23	....	1	510	20	...	2	767	43	....
Cape of Good Hope....	4	922	56	2	....	....	....	...	4	922	56	2
British East Indies.....	25	9,715	386	22	....	....	....	...	25	9,715	386	22
British West Indies.....	388	54,899	2,633	38	211	29,294	1,756	37	609	84,193	4,389	75
British Honduras.....	27	3,943	171	....	10	1,353	71	...	37	5,296	242	....
British Guiana.....	10	1,298	64	....	22	5,288	262	7	32	6,586	326	7
Canada.....	1,701	300,939	16,065	1,994	1,391	234,522	17,135	138	3,092	535,461	33,200	2,132
New Brunswick, &c....	537	72,210	3,226	83	2,041	153,425	9,005	328	2,578	225,635	12,231	411
Australia.....	6	1,868	123	3	....	....	....	...	6	1,868	123	3
British African ports....	1	143	7	....	1	205	11	...	2	348	18	....
Hanse Towns.....	43	12,717	485	1	119	38,177	1,595	23	162	50,894	2,080	24
France on the Atlantic..	242	106,720	3,894	18	74	21,337	1,023	12	316	128,057	4,917	30
France on the Mediter'n.	27	7,187	285	1	19	4,555	219	3	46	11,742	504	4
French West Indies.....	96	13,757	644	14	21	5,303	256	12	117	19,060	900	26
French Guiana.....	21	3,177	152	3	....	....	....	...	21	3,177	152	3
Hayti.....	166	21,193	944	23	7	967	59	...	173	22,160	1,003	23
Spain on the Atlantic...	53	18,604	673	23	1	223	18	...	54	18,827	691	23
Spain on the Mediterra'n.	86	16,843	695	14	17	2,569	180	2	103	19,412	875	16
Teneriffe and other Can's	16	2,642	115	4	2	473	26	...	18	3,115	141	4
Manilla & Philippine isds.	10	3,570	154	6	....	....	....	...	10	3,570	154	6
Cuba.....	1,171	174,920	8,260	219	91	14,776	905	3	1,262	189,696	9,165	222
Porto Rico.....	259	40,822	1,829	35	5	713	39	...	264	41,535	1,868	35
Portugal.....	47	14,039	521	11	10	2,365	100	...	57	16,404	621	11
Madeira.....	14	2,470	122	1	....	....	....	...	14	2,470	122	1
Fayal and the other Azores	7	1,211	55	3	....	....	....	...	7	1,211	55	3
Cape de Verd islands....	2	384	17	2	....	....	....	...	2	384	17	2
Italy.....	35	8,363	340	9	6	1,436	74	4	41	9,799	414	13
Sicily.....	72	17,622	706	16	20	4,578	213	5	92	22,200	919	21
Trieste.....	13	3,025	120	6	7	1,842	74	...	20	4,867	194	6
Turkey.....	22	5,443	212	7	3	800	33	1	25	6,243	245	8
Morocco & Barbary States	1	145	6	1	1	121	8	2	2	266	14	3
Texas.....	200	36,152	1,553	....	12	961	65	...	212	37,113	1,618	....
Mexico.....	106	14,733	761	2	29	3,709	290	...	135	18,442	1,051	2
Venezuela.....	103	13,605	670	8	7	1,173	58	...	110	14,778	728	8
New Grenada.....	9	1,622	66	....	4	732	33	...	13	2,354	99	....
Central America.....	4	446	21	....	....	....	....	...	4	446	21	....
Brazil.....	153	32,588	1,415	37	22	5,578	239	2	175	38,166	1,654	39
Cisplatine Republic.....	26	6,680	271	21	1	161	14	...	27	6,841	285	21
Chili.....	13	4,862	212	4	....	....	....	...	13	4,862	212	4
Peru.....	4	1,137	59	....	....	....	....	...	4	1,137	59	....
China.....	35	14,771	584	9	....	....	....	...	35	14,771	584	9
Asia, generally.....	12	3,462	154	11	....	....	....	...	12	3,462	154	11
Africa, generally.....	34	6,156	303	12	5	771	43	1	39	6,927	346	13
Arabia.....	....	....	....	....	1	320	47	...	1	320	47	....
South Seas.....	150	43,184	3,090	45	....	....	....	...	150	43,184	3,090	45
Atlantic Ocean.....	4	878	82	2	....	....	....	...	4	878	82	2
North-west coast America	1	308	14	....	....	....	....	...	1	308	14	....
Uncertain ports.....	1	147	7	....	1	90	4	...	2	237	11	....
Total.....	7,211	1,576,946	70,011	2,993	4,571	712,363	40,980	746	11,782	2,289,309	110,991	2,739

Statement exhibiting the number of American and foreign vessels, with their tonnage and crews, which cleared from the United States for foreign countries, during the year ending September 30, 1840.

CLEARED.

FOR	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Russia.....	22	6,018	257	....	2	477	27	....	24	6,495	284	....
Prussia.....	2	506	21	1	6	1,577	65	....	8	2,083	86	1
Sweden.....	3	1,118	42	....	25	5,936	266	....	28	7,054	308	....
Swedish West Indies....	18	2,203	116	2	1	139	8	....	19	2,342	124	2
Denmark.....	2	321	16	....	6	1,352	57	7	8	1,676	73	7
Danish West Indies....	187	27,700	1,409	20	8	1,197	79	....	195	28,897	1,488	20
Holland.....	107	31,747	1,306	4	48	11,929	512	3	155	43,676	1,818	7
Dutch East Indies.....	6	1,828	86	1	1	485	26	....	7	2,313	112	1
Dutch West Indies.....	28	3,790	187	....	11	1,153	98	....	39	4,943	285	....
Dutch Guiana.....	31	5,729	273	1	....	....	....	....	31	5,729	273	1
Belgium.....	64	19,507	756	11	25	7,667	310	3	89	27,174	1,066	14
England.....	798	388,512	14,224	124	239	129,213	5,121	103	1,037	517,725	19,345	227
Scotland.....	31	10,799	414	2	26	10,433	431	10	60	21,232	845	12
Ireland.....	7	2,732	102	....	1	351	15	....	8	3,083	117	....
Gibraltar.....	55	11,312	507	4	5	877	59	....	60	12,189	566	4
Malta.....	2	419	21	....	....	....	....	....	2	449	21	....
Cape of Good Hope....	2	650	29	....	1	160	11	....	3	810	40	....
British East Indies.....	17	5,742	247	1	....	....	....	....	17	5,742	247	1
British West Indies....	542	78,224	3,919	57	136	13,364	1,004	22	678	91,588	4,923	79
British Honduras.....	37	5,048	27	....	9	1,708	94	....	46	6,756	121	....
British Guiana.....	43	6,349	311	5	13	1,233	102	1	56	7,582	413	6
Canada.....	1,705	295,901	15,585	1,995	1,362	237,424	17,022	144	3,067	533,325	32,607	2,139
New Brunswick, &c....	480	61,172	2,770	60	2,168	164,381	9,722	74	2,648	225,553	12,492	134
Australia.....	5	1,368	78	....	1	232	14	....	6	1,600	92	....
British African ports....	2	312	18	....	....	....	....	....	2	312	18	....
Hanse Towns.....	57	17,849	720	11	135	42,324	1,785	24	192	60,173	2,505	35
France on the Atlantic..	319	138,590	5,194	27	71	21,507	1,029	11	390	160,097	6,223	38
France on the Mediter'n..	55	14,538	585	3	16	3,902	199	....	71	18,440	784	3
French West Indies....	184	25,612	1,249	9	7	1,255	67	....	191	26,867	1,316	9
French Guiana.....	13	1,925	95	3	....	....	....	....	13	1,925	95	3
Hayti.....	164	20,663	1,061	3	14	2,818	148	....	178	23,481	1,209	3
Bourbon.....	....	....	....	....	1	242	17	....	1	242	17	....
Spain on the Atlantic...	23	5,591	230	....	5	1,374	64	....	28	6,965	294	....
Spain on the Mediter'n..	13	2,575	122	....	5	1,045	66	....	18	3,620	188	....
Teneriffe and other Can's	5	713	36	....	2	368	30	....	7	1,081	66	....
Manilla & Philippine is'ds	2	809	30	3	....	....	....	....	2	809	30	3
Cuba.....	1,227	192,548	9,328	231	93	15,679	951	4	1,320	208,227	10,279	235
Porto Rico.....	143	22,559	1,086	15	7	952	64	3	150	23,511	1,150	18
Portugal.....	20	3,851	177	1	2	587	25	....	22	4,438	202	1
Madeira.....	23	3,963	198	....	....	....	....	....	23	3,963	198	....
Fayal and other Azores..	6	1,089	65	....	....	....	....	....	6	1,089	65	....
Cape de Verd islands....	10	2,262	101	2	4	916	49	....	14	3,208	150	2
Italy.....	34	8,071	336	7	13	2,602	149	1	47	10,673	485	8
Sicily.....	4	1,006	45	....	14	3,176	172	....	18	4,182	217	....
Trieste.....	45	11,828	492	1	20	6,081	261	....	65	17,909	753	1
Turkey.....	11	2,187	105	....	....	....	....	....	11	2,187	105	....
Texas.....	230	41,177	1,912	13	10	530	40	....	240	41,707	1,952	13
Mexico.....	97	13,348	786	1	29	3,025	288	....	126	16,373	1,074	1
Venezuela.....	68	9,386	514	6	4	920	48	1	72	10,306	562	7
New Grenada.....	6	1,000	50	....	5	882	55	....	11	1,882	105	....
Central America.....	5	721	37	....	....	....	....	....	5	721	37	....
Brazil.....	170	34,189	1,635	29	9	1,764	94	....	179	35,953	1,729	29
Cisplatine Republic.....	33	8,197	350	3	1	230	12	....	31	8,427	362	3
Chili.....	22	7,414	326	7	....	....	....	....	22	7,414	326	7
Pern.....	3	667	34	....	....	....	....	....	3	667	34	....
S. America, generally...	1	262	11	....	....	....	....	....	1	262	11	....
China.....	7	3,360	149	....	....	....	....	....	7	3,360	149	....
Europe, generally.....	1	196	9	....	....	....	....	....	1	196	9	....
Asia, generally.....	9	2,787	136	3	....	....	....	....	9	2,787	136	3
Africa, generally.....	39	7,133	354	10	6	900	58	....	45	8,033	412	10
Arabia.....	....	....	....	....	1	320	47	....	1	320	47	....
W. Indies, generally....	139	17,103	918	4	15	1,769	125	1	154	18,872	1,043	5
South Seas.....	169	48,429	3,785	268	....	....	....	....	169	48,429	3,785	268
Atlantic Ocean.....	25	4,096	444	54	....	....	....	....	25	4,096	444	54
North-west coast America	1	100	11	1	....	....	....	....	1	100	11	1
Uncertain ports.....	1	175	8	....	....	....	....	....	1	175	8	....
Total.....	7,583	1,517,009	75,415	3,003	4,583	705,456	40,556	412	12,166	2,222,465	116,331	3,415



STATEMENT

Exhibiting the number, tonnage, crews, and national character of the foreign vessels that entered into, and cleared from, the United States, during the year ending on the 30th September, 1840.

FOREIGN.

FLAG.	ENTERED.				CLEARED.			
	No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.
Arabian .....	1	320	47	....	1	320	47	....
Austrian .....	10	3,057	128	1	12	4,145	169	....
Belgian .....	2	480	18	....	2	479	20	....
Brazilian .....	2	292	14	....	3	441	30	....
British .....	4,024	582,424	34,651	669	3,987	563,735	33,828	362
Colombian .....	1	126	10	....	2	248	20	....
Danish .....	26	4,289	209	1	33	5,886	299	5
Dutch .....	22	3,629	198	3	23	3,437	208	2
French .....	113	39,701	1,591	27	108	29,553	1,468	11
Hanoverian .....	3	550	18	....	3	722	25	....
Hanseatic .....	134	41,874	1,760	26	141	44,772	1,930	24
Haytien .....	3	352	21	....	4	632	36	....
Mexican .....	16	1,554	140	....	24	2,137	215	....
Neapolitan .....	1	210	10	....	2	457	21	....
New Grenadian .....	4	732	33	....	5	883	52	....
Norwegian .....	6	1,588	68	....	7	1,954	80	....
Prussian .....	7	1,394	62	....	7	1,659	75	....
Russian .....	2	322	21	....	4	1,188	55	....
Sardinian .....	9	1,975	96	....	8	1,396	88	....
Sicilian .....	16	3,452	186	7	18	4,068	215	....
Spanish .....	101	15,927	1,032	6	103	16,768	1,082	5
Swedish .....	55	15,376	669	6	69	19,067	785	2
Texian .....	5	219	25	....	5	238	19	....
Unregistered .....	1	275	11	....	6	1,064	53	....
Venezuelan .....	7	1,195	52	....	6	1,237	63	1
Total .....	4,571	712,363	40,980	746	4,583	706,486	40,886	412

TREASURY DEPARTMENT, Register's Office, May 29, 1841.

T. L. SMITH, Register.

Shoe Statistics.

A Lynn shoemaker, writing in the Boston Atlas, gives some interesting facts, in relation to the number of shoes and boots imported from France. The quantity of boots fairly entered from France, last year, was 16,848 pairs, besides those from other countries, which is an increase of sixteen hundred per cent. in eight years; and the custom is daily becoming more common, for gentlemen to send out their measure, and order directly from the manufacturer. Owing to this, Forr's boots are now as well known in New York and Boston as in Paris.

Ofladies' shoes, the quantity imported last year was 72,452 pairs, which is an increase of more than four hundred per cent., in eight years. In this, we make no calculation for these brought into the country in other ways than through the custom-house, which, as they are not bulky, is no doubt very large.—*Journal of Commerce.*

Shoe Pegs.

A paper recently established at Meredith, N. H., called the Belknap County Gazette, describes a manufactory of shoe pegs in that place, as follows:

We found it in a full operation, and were gratified to see its wonderful simplicity, and astonishing rapidity with which wood is converted into pegs. The logs of birch wood, from six to twelve or fifteen inches in diameter, are taken into the mill and cut off by a circular saw for the length of the peg for which they are intended. The blocks then go through a planing process by which they are made perfectly smooth; they are then creased or marked off for the size of the peg

to correspond with its length—the blocks then go through the splitting operation by which they are converted into pegs of any desirable size—the pegs then undergo the drying process, in summer by sun, in winter or wet weather by the use of a furnace—they are then put into a revolving cylinder, where they are turned over and over for the purpose of polishing, and finally come out into a box like a miller's meal trough, from which they are packed into sacks containing from half a bushel to two or three bushels each, and being marked and numbered, are ready for market. These pegs are a source of revenue to our community, drawing a profit from our forests, of which we had no conception until we witnessed the operation. It is not uncommon to see Messers' big teams loaded with pegs from the Meredith Bridge manufactory. The price of the pegs varies according to their size and quality, averaging, perhaps, a little more than two dollars to the bushel.

Death in the Pulpit.

On Sunday last, the Reverend Frederick Tuckerman, of Poughkeepsie, (N. Y.) while engaged in preaching to a congregation at Manchester, fell down in the pulpit and immediately expired. He had complained in the morning of feeling unwell, and stated to his hearers that he did not know whether he should be able to speak long, for he felt strangely. Soon after taking his text and opening his discourse he fainted, and almost immediately breathed his last. His disease was probably one of the heart. Mr. T. was formerly a preacher among the Methodists, but for several years has been connected with the Presbyterian denomination. He was 79 years old.

## REPORT

*Of the Secretary of State, of Tennessee, in relation to Internal Improvement Companies, in which the State is interested.*

SECRETARY OF STATE'S OFFICE, 2  
October 21, 1841. 3

*To the Honorable Speaker of the  
House of Representatives :*

Sir:—In obedience to two resolutions adopted by your honorable body on the 15th instant, containing several subjects of inquiry in relation to internal improvement companies, in which the State is interested, I have the honor to make the following report :

In answer to the first subject of inquiry which requires me to show the amount subscribed by the State, and the amount of State Bonds issued by the Governor to each internal improvement company, with the aggregates in both cases, I beg leave to present the annexed table marked A, which gives the information desired, with the date of the charters of each company.

The answer to the second subject of inquiry which requires me to separate and distinguish the amount subscribed by the State, and the amount of State Bonds issued to companies in each of the three grand divisions of the State, will be found in the three annexed tables marked B, C & D.

From the tables referred to, it will be seen that the total amount subscribed by the State to internal improvement companies, is three millions, sixteen thousand, six hundred and sixty-six dollars, sixty-six cents, and the total amount of State Bonds issued is one million, five hundred and sixteen thousand, nine hundred and sixteen dollars and sixty-six cents; the total amount subscribed by the State to companies in the Eastern Division of the State is one million, three hundred thousand dollars, and the total amount of State Bonds issued to the same, is three hundred and eighty-nine thousand dollars.

The total amount subscribed by the State to companies in the Middle Division of the State, is one million, three hundred and seventy-seven thousand, one hundred and sixty-six dollars, and sixty-six cents, and the total amount of State Bonds issued to the same, is eight hundred and eighty thousand, one hundred and sixty-six dollars and sixty-six cents; the total amount subscribed by the State to companies in the Western Division of the State is, three hundred and thirty-nine thousand, five hundred dollars, and the total amount of State Bonds issued to the same is, two hundred and forty-seven thousand, seven hundred and fifty dollars.

I have not included in the above estimates, three hundred thousand dollars in River bonds, which were issued on the 2d day of July, 1839, one hundred thousand dollars of which were set apart for the improvement of the rivers in each of the three grand divisions of the State. These bonds have not been appropriated, but still remain in the Bank of Tennessee, (with the interest which has accrued upon them,) subject to such legislative action as may be adopted in relation to them.

In answer to the third subject of inquiry, which requires me to give such information as may be in my power, as to the progress making by each company : I have to state that the State has granted charters to twenty-eight companies ; of this number, twenty-four have commenced the construction of the roads contemplated by their charters, and have received the bonds of the State, in the whole or part of the State subscription.

The following six companies, viz : the Nashville, Murfreesborough and Shelbyville, the Gallatin, the Lebanon and Nashville, the Clarksville and Russellville, the Franklin and Columbia, and the Nashville and Charlotte Turnpike Companies, have completed the construction of their respective roads, and toll gates have been erected in conformity with the charters.

The three following companies, viz : the Columbia, Pa-

laski, Elkton and Alabama, the Nolensville, and the Nashville and Kentucky Turnpike Companies, are progressing rapidly, and will finish their respective roads during the ensuing winter or spring.

The five following companies, viz : The Lebanon and Sparta, the Columbia Central, the Cumberland and Stones' River, the Fulton, and the Gallatin and Cumberland Turnpike Companies, are progressing with their roads, and will most probably complete them during the next year.

The Jefferson Turnpike Company, have, it is believed, been compelled to suspend their work, on account of a lawsuit now pending between that Company and the State.—So soon as the cause of suspension is removed, the road no doubt will be completed in a short time.

The two following companies, viz : the Chambers and Purdy, and the Pelham and Jasper Turnpike Companies, were both chartered in the year 1838, and both during that and the ensuing year received bonds from the State, the former the whole amount of the State's subscription ; both the works, if they ever have been commenced, are in a suspended state, and there is not much reason to believe that they will ever be otherwise.

I am without any information as to the situation of the following four companies, viz : the Harpeth, the Forked Deer, the Big Hatchie, and the Ashport Turnpike Companies.

The three following companies, viz : the Fayetteville and Shelbyville, the Livingston, and the Harpeth and Farmington Turnpike Companies, have not, as yet, commenced their works, and it is thought never will. To the first named of these companies, the Governor issued sixteen thousand dollars in bonds, in November, 1838, the bonds are still in the Bank of Tennessee, subject, of course, to the order of the company.

The Murfreesborough, Manchester and Winchester Turnpike Company, have not, as yet, commenced their work, but will, I am informed, do so in a short time.

The Louisville, Cincinnati and Charleston Railroad Company, have abandoned their work, so far as Tennessee is concerned, and a proposition has been made to return to the State the bonds heretofore issued upon certain conditions.

The Hiwassee Railroad is believed to be in progress ; the last issue of State Bonds was made in May last, upon a report made by Commissioners, under the act of the 25th of January, 1840, showing a strict compliance with the provisions of the charter up to that period.

As to the progress making by the Lagrange and Memphis Railroad Company, I am uninformed.

In answer to the fourth subject of inquiry, which requires me to state the amount of the State subscription that will be exhausted by the several works now in progress, I have to state that this cannot be done with perfect accuracy, but a pretty correct result can be obtained by subtracting eight hundred and forty-two thousand five hundred dollars, being the subscriptions made to the (Louisville, Cincinnati and Charleston Railroad Company, the Fayetteville and Shelbyville, the Chambers and Purdy, the Pelham and Jasper, the Livingston, and the Harpeth and Farmington Turnpike Companies,) from the whole amount subscribed, which will leave two millions, one hundred and seventy four thousand, one hundred and sixty-six dollars and sixty-six cents, as the amount which will be exhausted ; there is no reason to believe that it can possibly exceed this sum.

In answering the fifth and last subject of inquiry, which requires me to estimate the unexpended balances that will remain to each of the three grand divisions of the State out of the fund set apart for purposes of internal improvement, by the act of the 19th January, 1838, I have to state that the whole amount appropriated by the act referred to, was four millions of dollars ; of this sum, one million, four hundred thousand dollars were set apart for the Eastern Division of the State. Deduct from this sum, six hundred and fifty thousand dollars, being the amount of subscription to the Hiwassee Railroad, will leave seven hundred and fifty thousand dollars, as the unexpended balance in favor of the Eastern Division of the State.

The portion of funds referred to, set apart to Middle Tennessee, was one million, six hundred thousand dollars. Deduct from this sum, eleven hundred and eighty-two thousand dollars, being the amount of subscriptions to works, which it is believed will be prosecuted to completion, will leave four hundred and eighteen thousand dollars, as the unexpended balance in favor of the Middle Division of the State.

The portion of the fund alluded to, set apart to the Western Division of the State, was one million of dollars. Deduct from this sum, three hundred and thirty-two thousand dollars, being the amount of subscription to works which will probably be completed, will leave six hundred and sixty-eight thousand dollars, as the unexpended balance in favor of the Western Division of the State.

Very respectfully,

JOHN S. YOUNG,

Secretary of State.

A.

A Tabular Statement,

Exhibiting the amount subscribed by the State, the amount of State Bonds issued by the Governor to each Internal Improvement Company, under the several laws of the State, authorizing the issue of the Bonds of the State for purposes of Internal Improvement, up to the 20th day of October, 1841.

COMPANIES.	Am't subs'd by the State.	Amount of Bonds iss'd.
Louisville, Cin. and Charleston Railroad Company .....	\$650,000	\$32,000
Lagrange and Memphis, do. ...	250,000	181,250
Hiwassee, do. ....	650,000	357,000
Nashville, Murfreesborough and Shelbyville Turnpike Co. ....	66,666 <sup>2</sup> / <sub>3</sub>	66,666 <sup>2</sup> / <sub>3</sub>
Gallatin, do. ....	142,500	132,500
Lebanon and Nashville, do. ....	75,000	70,000
Clarksville and Russellville, do.	37,500	33,000
Franklin and Columbia, do. ....	75,000	71,000
Fayetteville and Shelbyville, do.	90,000	16,000
Lebanon and Sparta, do. ....	75,000	65,000
Jefferson, do. ....	45,000	9,000
Columbia Central, do. ....	150,000	150,000
Cumberland and Stones River, do	108,000	47,000
Chambers and Purdy, do. ....	7,500	7,500
Nashville and Charlotte, do. ....	30,000	30,000
Harpeth, do. ....	40,000	26,000
Livingston, do. ....	25,000	....
Murfreesborough, Manchester, and Winchester, do. ....	100,000	....
Pelham and Jasper, do. ....	50,000	7,000
Fulton, do. ....	10,000	3,000
Harpeth and Farmington, do. ...	30,000	....
Forked Deer, do. ....	7,000	7,000
Columbia, Pulaski, Elkton and Alabama, do. ....	125,000	79,000
Big Hatchie, do. ....	25,000	14,000
Gallatin and Cumberland, do. ...	12,500	4,000
Nolensville, do. ....	50,000	48,000
Ashport, do. ....	40,000	35,000
Nashville and Kentucky, do. ....	50,000	26,000
	\$3,016,666 <sup>2</sup> / <sub>3</sub>	\$1,516,916 <sup>2</sup> / <sub>3</sub>

Note.—Of the \$1,516,916<sup>2</sup>/<sub>3</sub>, the total amount of Bonds issued: \$266,66<sup>2</sup>/<sub>3</sub>, are in bonds issued prior to the 19th January, 1838, and bear interest at the rate of 5<sup>1</sup>/<sub>4</sub> per cent.; the remainder, \$1,253,750, are in bonds issued under the act of the 19th January, 1838, and bear interest at the rate of 5 per cent.

B.

A Tabular Statement exhibiting the amount subscribed by the State, and the amount of State Bonds issued to each Internal Improvement Company in Middle Tennessee, up to the 20th day of October, 1841.

COMPANIES.	Am't subs'd by the State.	Amount of Bonds iss'd.
Nashville, Murfreesborough and Shelbyville Turnpike Co. ...	\$66,666 <sup>2</sup> / <sub>3</sub>	\$66,666 <sup>2</sup> / <sub>3</sub>
Gallatin, do. ....	142,500	132,500
Lebanon and Nashville, do. ....	75,000	70,000
Clarksville and Russellville, do.	37,500	33,000
Franklin and Columbia, do. ....	75,000	71,000
Fayetteville and Shelbyville, do.	90,000	16,000
Lebanon and Sparta. ....	75,000	65,000
Jefferson, do. ....	45,000	9,000
Columbia Central, do. ....	150,000	150,000
Cumberland and Stones River, do	108,000	47,000
Nashville and Charlotte, do. ....	30,000	30,000
Harpeth, do. ....	40,000	26,000
Livingston, do. ....	25,000	....
Murfreesborough, Manchester, and Winchester. ....	100,000	....
Pelham and Jasper, do. ....	50,000	7,000
Harpeth and Farmington, do. ...	30,000	....
Columbia, Pulaski, Elkton and Alabama, do. ....	125,000	79,000
Gallatin and Cumberland, do. ..	12,500	4,000
Nolensville, do. ....	50,000	48,000
Nashville and Kentucky, do. ....	50,000	26,000
	\$1,377,166 <sup>2</sup> / <sub>3</sub>	\$880,166 <sup>2</sup> / <sub>3</sub>

C.

A Tabular Statement, exhibiting the amount subscribed by the State, and the amount of State Bonds issued to each Internal Improvement Company in East Tennessee, up to the 20th day of October, 1841.

COMPANIES.	Am't subs'd by the State.	Amount of Bonds iss'd.
Louisville, Cin. and Charleston Railroad Company. ....	\$650,000	\$32,000
Hiwassee. ....	650,000	357,000
	\$1,300,000	\$389,000

D.

A Tabular Statement, exhibiting the amount subscribed by the State, and the amount of State Bonds issued to each Internal Improvement Company in the Western District, up to the 20th day of October, 1841.

COMPANIES.	Am't subs'd by the State.	Amount of Bonds iss'd.
Lagrange and Memphis Railroad Company .....	\$250,000	\$181,250
Chambers and Purdy Turnpike	7,500	7,500
Fulton .....	10,000	3,000
Forked Deer .....	7,000	7,000
Big Hatchie. ....	25,000	14,000
Ashport .....	40,000	35,000
	\$339,500	\$247,750

**The Safety Fund.**

COMPTROLLER'S OFFICE, }  
Albany, 24th Nov. 1841. }

THURLOW WEED, Esq.

Dear Sir—In answer to numerous inquiries in relation to the redemption of the bills of the Bank of Buffalo and Commercial Bank of Buffalo, I send you for publication a statement showing the situation of the Safety Fund, and the provision of the law appertaining to the subject.

Very Respectfully,

Your ob't servant,

JOHN A. COLLIER.

COMPTROLLER'S OFFICE, }  
Albany, 25th Nov. 1841. }

**Statement of the Situation of the Safety Fund.**

The amount of the capital remaining 30th of September, 1841.....	\$485,487 99
The advances from the Treasury since that time to redeem Safety Fund Bank notes.....	106,031 00
Balance of Safety Fund, 24th Nov. 1841 ..	\$379,456 99
Under the provisions of the act of 26th of May, 1841, the Comptroller has given notice to the Safety Fund Banks that they will be required to pay half per cent. upon their capital, on the first day of January next, which would produce .....	\$158,776 24
And there will be due from several banks who have not yet paid their original contributions of 3 per cent. on first January next .....	31,175 00
Which would make the whole amount of Safety Fund.....	\$569,108 23
From which is to be deducted the half per cent. of the Bank of Buffalo and Commercial Bank of Buffalo, since suspended....	3,000 00
Leaving the balance, 1st Jan., 1842 .....	\$566,408 23

The Comptroller has no authority to redeem the bills of a suspended bank until the Chancellor makes the order required by the act of May, 1837, which provides that :

"It shall be lawful for the Chancellor, upon the certificate of one or more of the Bank Commissioners that the amount of the debts of such Banking Corporation, over and above its property and effects, will not exceed two-thirds of the amount of the Bank Fund then paid in and invested, exclusive of all prior established claims thereon, to make an order upon the Comptroller, authorizing him to take such measures as he may deem necessary for the immediate payment of the ordinary bank bills, or notes of such banking corporations then in circulation, out of the bank fund then paid in and invested."

Upon filing a certified copy of the Chancellor's order, under this section, and not before, the Comptroller is authorized to make provision for the redemption of the bills; nor is there any authority, without such prior order, to receive the bills of a suspended bank in payment for tolls or other indebtedness at the Treasury; which of course would be virtually redeeming them in anticipation, as nothing else but such uncurrent notes would in that case be offered in payment, until the whole circulation was exhausted.

In relation to the recent failures of the Bank of Buffalo and the Commercial Bank of Buffalo, the Bank Commissioners were not able to give the required certificate, and the Chancellor could therefore make no order upon the Comptroller, authorizing him to redeem.

The Safety Fund, as the law now stands, is only to be re-

plenished by the annual contribution of the banks of one half per cent. upon their capital; and unless farther legislative provision is made, the bills of the above banks cannot be redeemed from the Safety Fund until the annual contributions shall so far replenish the fund as to enable the Bank Commissioners to give the required certificate to the Chancellor, and he shall make the order.

JOHN A. COLLIER, Comptroller.

**Circular Letter.**

To the Special Agents of the Post-Office Department.

POST-OFFICE DEPARTMENT, }  
November 4, 1841. }

Sir—To the duties assigned you by any former instructions, as special and confidential agent of this department, I desire to add, that of strictly observing the manner in which the post-offices are kept in the section and along the lines of route you may be called to inspect and travel.

The Postmaster General expects that every post-office, whatever may be its importance, shall be attended to, or supervised by the deputy postmaster.—The practice which, I regret to learn, has obtained in many portions of the United States of one man holding the commission of postmaster, whilst another discharges its duties, must be stopped; and when such cases fall within your knowledge, I desire that they shall be made the subject of special report.

Great carelessness in the opening and keeping the mail in insecure places, and permitting persons, other than the postmaster, or his sworn assistants, to have access to the same when opening, or after it is opened, has been charged, in general terms, upon many of the postmasters in the small towns and villages. This evil must be corrected, and when you have evidence of the fact, it is expected you will make it known to the department, that the only efficient remedy may be applied. I will not continue in office those who will not themselves give their time and attention to the discharge of its duties, or who violate or suffer violations of the rules of the department in opening and distributing the mail.

It is also desirable that you observe the department of all carriers and drivers of mails, and report any misconduct arising from wilful negligence or carelessness and inattention to their employers and to the department.

Many complaints have been made against the agents or travelling postmasters on railroad routes, you are expected to observe the conduct of such as may fall within the range of your supervision.

Information has been communicated to this department that drivers and carriers of the mail, on the more distant and more unimportant routes, are in the habit of carrying letters in violation of law, thereby lessening the income of the department. As this may be done in ignorance of the law, you will inform and instruct the contractors to charge the carriers and drivers not to violate the law in this particular. The act of 1825, section 26 directs that all carriers shall deliver such letters, whether sealed or unsealed, to the first post-office at which they arrive after receiving them, and the postmaster is directed to rate and charge the postage.

If you become satisfied that any post-office is not of public utility, and not required for the public accommodation, you will report that fact and the reasons for the opinion.

Upon the active exertions and vigilant supervision of the special agents of this department mainly depend the regularity, and efficiency of mail transportation, and I cannot too strongly impress on you the importance and high responsibility of your stations. It is to you the Postmaster General must look for accurate information upon all subjects pertaining to the out-door operations of the department.—Give me your efficient aid, and I do not despair of making the Post-Office Department eminently useful and popular.

Very Respectfully,

Your obedient servant,

C. A. WICKLIFFE.



Low Water in the Lakes—Enlargement of the Erie Canal.

At an adjourned meeting of the citizens of Buffalo, favorable to the enlargement of the Erie Canal, held at the Common Council Chamber, on the evening of the 9th Nov. 1841, SAMUEL WILKESON, President, S. G. Austin and J. L. Kimberly, Vice Presidents, H. Shumway and Charles Faxon, Secretaries.

The meeting having been called to order by the President, Mr. S. C. Hawley, on behalf of the committee appointed at the former meeting "to draft a Memorial to the Canal Commissioners, urging the necessity of an immediate enlargement of the canal from Buffalo to Black Rock," said, that since the last meeting the Canal Commissioners had given notice calling for proposals for the construction of the enlargement from Erie street bridge in Buffalo, to the ferry at Black Rock; that the committee had therefore confined the memorial to the subject of the enlargement from Black Rock Dam to Lockport, and submitted the following Memorial, which was unanimously adopted:

To the Honorable, the Canal Commissioners of the State of New York.

The undersigned feeling a strong interest in maintaining the navigable condition of the Erie Canal, have observed with anxiety the danger to which it is exposed by the falling of the water in the lake, threatening its total interruption during the next season, and beg leave to call the attention of the Honorable the Canal Commissioners to this important matter.

The level of the canal from the city of Buffalo to Lockport, is constructed with a declivity of 17 inches, distributed through the whole distance, which gives flow to the water equal to  $\frac{3}{4}$  of a mile to the hour; upon this construction of the canal with the supply of water from the Lake, Tonawanda and Oak Orchard Creeks, and Genesee River, was supposed to be sufficient for the purposes of the canal in all seasons, from Buffalo to Montezuma. During the seasons past it has hardly answered the purpose. Now the Genesee River, if used to propel the machinery at Rochester, can supply no water to the canal, and the two creeks above mentioned only supply in dry seasons, about  $\frac{1}{3}$  of the required amount, leaving a constant draft on Lake Erie for an amount of water equal to seven-eighths of the whole supply from Buffalo to Montezuma, a distance of 150 miles. The whole amount of this water must pass over the mitre sill of the Guard Lock at Black Rock, and sufficient must pass this point to provide four feet of water on the mitre sill of the lock at the Montezuma level, 150 miles distant, and for all the loss by leakage, wastage and evaporation on the whole intermediate line. The amount of this loss is more than one-fourth of the whole, and to keep the canal in condition to be navigated with economy, there should be drawn from the reservoir at least one-half more than is required at the extreme of the level to be supplied. Thus it appears that to afford a barely sufficient supply of water for this long section of the canal, there should be at no time less than six feet of water on the mitre sill at Black Rock.

It will appear hereafter, that there has been less than that amount during portions of the present season, and that there is a probability that there will be far less hereafter. During this season the supply sufficient to carry boats forward has only been secured by great care and exertion in stopping all leaks and wastages, and by opening every guard gate on the canal, allowing the water of the lake to flow unobstructed from its own level through the canal. Thus demonstrating that there is no remedy for the present and proximate evil, except by sinking the level of the enlargement from Buffalo to Lockport so low as at all times and in all seasons, to command a sufficient head of water from Lake Erie. To determine the importance and necessity of thus sinking this level, we ask your consideration of our observations upon the rise, fall, and elevation of the water in the lake, for a series of years.

There are three descriptions of fluctuations in the waters of the lake, arising from different causes, and these causes, combined produce the highest and the lowest stage of water.

The annual spring freshets in all the innumerable streams that supply the Lake Reservoir, cause a fluctuation in the lake amounting to from 12 to 18 inches annually. The heaping of the water in the lake by heavy winds, amounting sometimes to four or five feet, and continuing from a few hours to several days, and the fluctuation which is caused by the disparity between the evaporating and falling weather in a series of wet and dry seasons. This last phenomenon is not marked by any regular period of time, though it usually spreads over several years, and causes a difference in the level of the lake at extreme high and low water, of from five to six feet.

The lowest declination of the lake that has fallen under recorded observation, occurred in August of the year 1820. Taking the level of that year as zero, or the point of low water, the following table, compiled from authentic sources and actual gauging in the years named, will show the tendency and fluctuation of the water.

	feet inches.		feet inches.	
Aug. 1820			0	0
" 1828 rise	2	6	2	6 above 1820
" 1830 same time	2	6	2	6 " "
" 1836 rise over 1830	1	0	making	3 6 " "
" 1837 " " 1836	6	"	4	0 " "
June 1838 " " 1837	9	"	4	9 " "
Aug. 1838 over June '38	4	"	5	1 " "

This was the highest stage of water that has been observed.

Aug. 1839 decrease	1	3	leaving	3	10	above 1820
" 1840 "	1	3	"	2	7	" "
" 1841 "	1	10	"		9	" "

Since August 1838, the water has been tending rapidly, but uniformly, towards the level of 1820. In the latter part of October 1839, the water in Black Rock harbor was above the mitre sill of the Lock, 9-30 100 feet; 1840, 8-10 100 feet, a decrease in one year of 1-20 100 feet; in 1841, 5-86 100 feet, a decrease in one year of 2-24 100 feet, the lowest stage of water that has been observed. The following table will show the height of the water upon the mitre sill in each of the navigable months in the year 1840 and 1841, the relative height during the two seasons.

There was on the mitre sill of the guard lock at Black Rock, in

May, 1840,	9-33	100 ft.	1841,	8-50	100 ft.
June, "	9-00	"	"	8-24	"
July, "	9-33	"	"	7-80	"
Aug. "	9-40	"	"	7-30	"
Sept. "	8-30	"	"	6-75	"
Oct. "	8-10	"	"	5-86	"

It hence appears that if the lake should subside to the point of 1820, we should be left with less than five feet of water on the mitre sill at Black Rock Guard Lock, through which narrow passage all the water must flow, running at the rate of three-fourths of a mile the hour, to supply the canal for 150 miles. It seems to us to be mathematically certain, that the supply would be insufficient.

The practical obstructions to navigation during the past season, demonstrate, that there is more danger of a short supply of water, than can be inferred from mathematical calculations. During this season all the guard gates between the lake and Lockport have stood open, and the waters of the lake have had an unobstructed passage towards the lower levels of the canal. There has been from 5 86-100 feet to 8 50-100 feet of water on the mitre sill at Black Rock, and yet boats have often been aground in the gorge through the mountain Ridge at Lockport. How then shall navigation proceed in this canal, when the lake shall fall 9 inches, or a foot more, as it must to attain the level of 1820?

There are reasons for supposing that the lake may hereafter fall below the point of 1820. If there should occur a series of dry and hot seasons, similar to that which caused the fall of the lake in 1820, the lake would necessarily recede below the level of that year, inasmuch as the country which is drained into the lake has been opened and cultivated so that falling water is more rapidly taken up by leakage,

drainage, and evaporation, than at the former period. The effect of opening, clearing and cultivating a country, upon the streams and reservoirs of water to which it is a shed, is not appreciated to its full extent; but all who have noticed the change in the Ohio, Allegheny and Genesee rivers, from this cause, will not doubt that Lake Erie will hereafter be more affected by these causes than heretofore.

It appears that from October 1840 to October 1841, the water of the lakes receded 24-100 feet. May not the continued operation of like causes produce a corresponding fall for the year to come, leaving us with about 2 feet 9 or 10 inches on the mitre sill at Black Rock, without any violation of probability or the laws of nature?

There are many causes which tend to disturb the uniform supply and flow of water in a canal, that are too uncertain in the period of their occurrence, and the extent of their effect, to be the subject of mathematical calculation. Some of these are worthy of notice, as increasing the hazard to which our navigation is exposed by lack of a supply of water. The above calculations are based on the supposition that the canal is at its original depth of four feet; if it were so there would be a short supply of water. But the canal has filled up in many places a foot on the bottom, and the banks have encroached upon its prism until nearly one-third of its capacity to carry water is destroyed. This is the case in the earth excavations between Pendleton and Lockport. The cutting is 20 feet deep, besides the spoil banks formed of the earth thrown out, and all this weight of banks rests upon quicksand and clay, causing the encroachments above mentioned. This evil was not felt while the lake was high, and a sufficient quantity of water could be forced through from the abundant supply of the lake. Another disturbing cause is found in the wind operating upon long levels of the canal; as when an easterly wind prevails for a length of time upon the sixty mile level from Rochester to Lockport, heaping up the water at the western section of the level, and leaving a corresponding depression at the eastern. This cause alone upon that level sometimes produces a depression at Rochester of from 8 to 12 inches; to which if we add the disturbing effect of the movement of boats and irregular lockages, shows a necessity for a large excess of water over the quantity which would at first seem to be sufficient.

We would further call your attention to another feature of our canal, which will tend temporarily to exhaust the too limited supply of water during the next season. Next spring, we understand, one sett of the enlarged locks at Lockport, will be brought into use, when the two setts of old locks will be taken up to give place for the second sett of new locks. Through this one sett of new enlarged locks must be passed all the boats going up and down, and the transportation will be in boats of the present dimensions. These large locks must be supplied with water through the small prism of the original canal. The immense draft that will be made upon the canal above, will be understood, when we consider

1st. That there will be the same, or greater number of boats passing than formerly.

2d. That the old locks draw 21,600 cubic feet of water at a lockage, less the amount displaced by the boat; and the enlarged lock will draw 35,640 cubic feet of water, less the amount displaced by the boat—being 14,040 cubic feet of water more to each boat locked through in the enlarged than in the old locks.

3d. That at each change from passing boats up to passing them down, and vice versa, an entire lock full of water is thrown away in one instance, and the entire five locks full in the other, causing an immense drain upon the narrow prism of your canal above, producing shoal water and rapid currents.

It might at first be supposed, that the water used for these lockages, is applied in supplying the levels beyond; but when it is known that the length and declivity of the long level from Lockport to Rochester, is such as to require that that level be kept constantly to its maximum height at Lockport, by the passage of water around or through the locks, in order that the necessary depth be carried forward to Rochester,

it will be seen in a moment, that these lockages that are thrown away, would fill up that end of the level, overflow and sweep away the banks, if waste-wiers were not constructed to carry off the excess. Hence it appears, that much of the lockage water is lost through waste-wiers.

We would further beg leave to state, that boats formerly, when the canal was four feet deep, and fully supplied with water, required from 12 to 14 days to perform a voyage from Buffalo to Albany and back, that the same boat, owing to the shallow condition of the canal and scant supply of water, now requires from 17 to 19 days to perform the same voyage—thus adding about one-fifth to the shippers' charges and the merchants' expenses. This is certainly an evil which in justice and policy calls for a remedy.

From the above state of facts, we are drawn to the conclusion, that there is imminent danger that with our present canal, and the probable level of the Lake, our navigation will be partially or wholly obstructed. That for this impending evil there is but one remedy, and that this remedy should be applied forthwith; it is the immediate enlargement of the canal from Black Rock Dam to Lockport. Next year the canal in its best condition, will be overthronged with the products of the boundless, enterprising and productive West. A slight interruption would be mischief—a total one, destruction to interests too extensive and momentous to be periled for an hour.

The welfare of the people of the city of New York, New England, this entire State, and the vast West; the prosperity of our own city, and the solvency of the treasury of our State, the credit of its stock, its faith and honor, depend on enough being done, and done in time, to arrest a catastrophe, which we are forced against our own hopes of prosperity to admit, is likely to happen. The remedy is within reach, and there should be no hesitation in making the application.

The President, Judge Wilkeson, having called to the chair the Mayor of the city, I. R. Harrington, offered the following resolution, which was adopted:

Resolved, That a corresponding committee of five be appointed by the chair, to confer with the canal commissioners upon the necessity of immediately deepening that portion of the canal between Buffalo and Black Rock, which is not navigable, so that it shall be made navigable by the opening of the canal in the Spring.

As such committee the chair appointed S. C. Hawley, J. L. Kimberly, Hon. M. Fillmore, S. G. Austin and Warren Bryant.

On motion of Judge Wilkeson, it was

Resolved, That a committee of three be appointed by the chair, to draft a memorial to the Legislature on the subject of the speedy enlargement of the Erie Canal, and report the same to a meeting to be held hereafter.

The resolution was adopted, and Geo. W. Clinton, Gen. H. B. Potter, and Doct. T. M. Foote, appointed such committee. Judge Wilkeson declining to serve on the committee, as he was to be absent from the city.

On motion of Doct. T. M. Foote, it was unanimously

Resolved, That the corresponding committee be directed to correspond with citizens of the canal counties on the subject of a convention, and other measures connected with the enlargement of the Erie Canal, and that they be authorized to unite with committees of other counties in calling a convention on this subject.

On motion of Gen. H. B. Potter, it was unanimously

Resolved, That the proceedings of this meeting be signed by its officers, and published in the newspapers of the city; that they cause the memorial to be printed as a circular, and a copy sent to each of the commissioners, and such other officers and citizens as they shall deem proper.

Resolved, That the committee to draft a memorial to the Legislature, be directed to call a meeting when they shall be prepared to report a memorial, and that this meeting do now adjourn.

S. WILKESON, President.

S. C. Austin, }  
J. L. Kimberly, } Vice Presidents.

H. Shumway, }  
C. Faxon. } Secretaries.

**The Washington Riot--President's Letter.**

Our readers will learn, from the report of proceedings in our Criminal Court, that, at the request of the President of the United States, a *nolle prosequi* was yesterday entered by the Attorney of the United States in the case of the prosecution against the individuals indicted for a breach of the peace at or near the President's House, in the month of August last, (on the night following the first veto.)

We subjoin a copy of the President's letter, not merely as a mark of respect for an honorable official act, but from the pleasure which its just and liberal sentiments have given to us, and will, we are sure, impart to our readers:

[*National Intelligencer.*

WASHINGTON, }  
Nov. 21, 1841. }

Sir:—Having understood that a prosecution was pending in the Criminal Court of the District of Columbia against certain persons charged with having been engaged in a riot in August last, to the disturbance of my family, I beg leave to submit to you the propriety of entering, with the consent of the court, a *nolle prosequi* in the cases. It was one of those outbreaks of popular feeling incident, in some degree, to our form of government, and entirely evanescent and harmless in its character. My confidence in the good sense and becoming feeling of the people of this District, leads me to believe that there will be no danger of a similar occurrence in future, and that therefore those who have been betrayed into a thoughtless proceeding will not be likely to repeat it.

Be assured of my constant regard,

JOHN TYLER.

Mr. FENDALL, District Attorney, Washington.

**Great Lawsuit.**

The New York American says, that the former Marshal of that district, Mr. W. C. H. Waddell, is litigating before the Supreme Court of the United States a very comprehensive claim against the State of New Jersey. It embraces all the land under the water in all the rivers of East Jersey, and for three leagues beyond the shore. No farmer can build a dock, even, if he succeeds. All the fisheries, ferries and oyster beds in East Jersey depend upon the result. It is the most important case that has arisen since the settlement of the colony of New Jersey. Mr. George Wood and Mr. G. D. Wall, are employed by the State to defend its rights; and, so important is the matter deemed by the Legislature, that before adjourning they passed a resolution requiring the Governor, if his duties will permit, to repair to Washington in person "and superintend the argument."—Mr. Waddell sues in the name and in behalf of the East Jersey proprietors, and the appeal by the State to the Supreme Court is from a decision in the Circuit Court favorable to the claimants. The issue of the suit will decide a similar claim by the West Jersey proprietors.

**Singular Tree.**

There is a tree in this county, on the road from Wye Mill to Hillsborough, the trunk of which, a few feet from the earth, branches off, into two distinct and entirely different trees, the one being an oak, the other a chestnut.

[*Princess Ann Sentinel.*

**Iowa Tin.**

It is said that a bed of tin ore, twenty miles square, has lately been discovered in Iowa. If this be correct, it must prove a most valuable discovery, and cut off a very considerable item of expense for foreign importation.

**Oil for Lamps.**

In the baneful process of distilling good honest corn into bad whiskey, we are glad to hear there is one beneficial result obtained—the production of a superior kind of lamp oil. This fact has only lately been known to distillers. The process of gathering the oil is very simple. After the "mash" has fermented as usual, and nearly settled again, the oil rises on the top, and may be skimmed off at the rate of about one quart to each bushel of corn mashed. The mash must be entirely of corn or the oil will not rise. The article thus produced, burns beautifully clear, is very durable, and is afforded at the West where it is manufactured, at about \$1 25 per gallon, at retail.

The Germans, on the banks of the Wabash, in Indiana, instead of throwing away or giving to the pigs, the seeds of their pumpkins, as usually done, make an oil from them which they use for all the purposes of lamp and olive oil. One gallon of seed gives about half a gallon of oil. They are pressed like rape and flax-seed.—*Buffalo Com. Adv.*

**Great Yield.**

We are often surprised with accounts from the West of the primeval soil and the abundance of its yield. We have heard nothing however, from any part of the Union, which surpasses the productiveness of the land of Samuel Carman, Esq., of Fire Place, on this Island. Two acres and three quarters of his highly cultivated farm have yielded the present fall 500 bushels of ears, equal to about 250 bushels of shelled corn, something over 100 bushels to the acre.

*Brooklyn News.*

**Segar Monopoly in France.**

The American contains a letter from Paris which states that the Regie had recently imported six million of segars from Manilla, but which appears likely to prove a bad speculation. The writer says, "our tobacco growers have nought to fear from such competition. The Regie have got stuck with their importation, and the segars must remain in their warehouses for years unsold. I send you half a dozen as a sample, to prove what trash they are in comparison with Havana, or even our best Yankee made. They are retailed at 15 centimes each.

**Western Copper.**

The Galena, Ill. Advertiser of the 6th, mentions the arrival at that place of two loads of copper from the mines of Mineral Point, Wisconsin, which, it adds are destined at no distant day to be a source of large income to the Territory. A number of the miners, smelters and citizens of Wisconsin, Iowa and Illinois have united in a petition to the Federal House of Representatives praying them to adopt some measures to relieve the mining interests of those districts from the grievances which oppress them.

**Sheep.**

The Warren (O.) Chronicle says; a flock of over one thousand merino sheep passed through our village, on their way to Illinois. They belong to an enterprising farmer from Massachusetts, and were driven from that State. They will be a valuable acquisition to the State of Illinois, and we trust the enterprising Yankee will be well rewarded for his exertions in introducing them into the West.

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## MESSAGE

OF GOVERNOR RICHARDSON OF SOUTH CAROLINA.

*Fellow-Citizens of the Senate  
and of the House of Representatives:*

I congratulate you on the recurrence of this occasion of assembling in the service of your constituents, under circumstances as auspicious to the useful discharge of your duties, as I trust they will be conducive to the harmony of your deliberations.

### *Reviving Prosperity.*

While, in the general health of our citizens, and the abundance of the harvest, we have experienced the usual beneficial distribution of the blessings of an overruling Providence, we have not less cause for congratulation in the reviving prosperity of our people, from the unexampled depression and embarrassment of the times. Already has credit begun to regain confidence and stability—capital to seek permanent investments—commerce to pursue its accustomed channels—property to resume a fixed and reasonable value—and the energy and enterprise of our people to embark with new and invigorated hope, in its various employments and pursuits.

Not the least gratifying reflection arising from these cheering auguries of our condition, is derived from the consciousness that they are the results *not* of any pampering patronage to the government—*not* of the artificial stimulants of Legislative aids or interference—but of a wise and vigilant economy in the people, awakened by the disastrous experience of the past, to improve the *permanent* and *enduring* sources of their prosperity. If some of the lingering effects of the late derangement in the monetary affairs of our country are still painfully experienced, in the reduced value of property,—diminished as it must be from the inflated standard of a depreciated and expanded currency—or in the difficulty of discharging debts, incurred in the flood-tide of extravagant prices, and a redundant circulation—they are to be regarded as the unavoidable consequences of *former* errors and delusions, and perhaps the surest indications of a progressive state of convalescence and improvement.

### *Our Government.*

Nor have we less cause to exult in the hope, that our Government may *now* be regarded as having passed in security, through the most trying and difficult exigencies, that ever tried its virtue, or tested its stability.

In the events of a single year, the sudden ascendancy of a party, actuated by a high-wrought enthusiasm—impelled by the disasters of the times to seek relief in change, and rashly imputing them to the conduct of our rulers—seemed to threaten the subversion of the well established principles of 1798 and 1799, and of the republican policy of the government, as well as the overthrow of the exponents, by whom they were administered. But a few weeks experience of power, have as suddenly disbanded, dissipated and resolved this *magnificent array* of party power and organization into its distinct and original elements. The deliberations of the late session of Congress have dispelled the delusions of party-zeal and fervor. Its impracticable expedients

and distracted councils have, I trust, again gathered and assembled the Republican portion of the nation, in the unity and strength of one fold, and one conviction. And if the great measure of “deliverance and liberty,” important as we still regard it to the faithful, as well as equitable administration of the financial affairs of the country, has been repeated, in *form* and in *name*, we have still the unquestionable assurance of its final success, in the overruling necessity resulting from the signal failure of every other substitute or device.

### *A National Bank.*

Among these abortive expedients, *none* was regarded with more intense and absorbing solicitude, than the proposition to re-establish a National Bank. On no occasion has the exercise of the conservative power vested in the Federal Executive, been received with warmer approbation by the people of this State; or been more wisely and fortunately interposed, to arrest the most dangerous, and most obnoxious of all the premeditated violations of the Constitution. Of all the great measures of national policy, productive of the bitterest contention among the great parties of this Union, and which has always and justly been regarded as fraught with the most powerful influences (for good or for evil,) on our political institutions, the establishment of a National Bank, is certainly the most obvious and important. If such has been the experience of the country, in the primitive and purer ages of the Republic, under the regulations of a bank, arising out of the embarrassments of the first war, and the exigencies of the last—of comparatively limited capital, and directed by the wisest and ablest officers—what were we to anticipate from an institution organized as the instrument of a party *then* in power—opening amidst the ruins of a disordered currency, and the wreck, weakness and dismay, of State and local institutions. The expiring struggles of the United States Bank, to perpetuate its existence against the fiat of the people, and the constituted authorities of the country, are recent in the recollection of all of us, and form an important epoch in the history of our Government.—Doubtful as that contest must be admitted to have been, waged even as it was against an Administration, perhaps the most efficient and energetic that has ever controlled the destinies of this nation, what were we to anticipate, when our rulers *themselves* should have become its allies, its party, or its pageants. In this view, it would have changed the character of our Government, become part of our political institutions, and consummated the greatest of all the deprecated evils that could befall a country—“the union of purse and sword, in the Federal head,” or *worse*, in the hands of a *Federal* party. Well may such an institution be supposed to have had the power to regulate the currency; but it would have been with the iron rule of despotism—restraining all interests, absorbing all capital, measuring all profits, overpowering all competition, and attracting the wealth and prosperity of every other portion of the Union, to the centre of its operations.

### *Power of the Late United States Bank.*

It was an honest confession, of one of the ablest presiding officers of the late United States Bank, before a committee appointed by Congress to investigate its affairs, that it was at any time within its power to crush State and local institutions! What an appalling fact for the contemplation of the Sovereign States of the Union! What a prophetic



warning of the institutions chartered by their authority!—The institutions of the country to be uprooted and erased at the bidding of a heartless, soulless, cent. per cent. calculating corporation! The rights of the States, and the liberties of the people, to be subjected to the dominion of a sordid moneyed Autocracy! And yet, such is the supremacy over law, liberty, and the constitution, to which such an institution would inevitably have attained. Encroachments upon the liberties of the people, in other times and nations, were to be apprehended from the swords of conquerors, and the usurpations of ambitious rulers; but experience has shown that in our own age and country, the strongest contests to maintain constitutional, and even sovereign rights, have been waged against an ambitious *money power*, in all its various forms, of bank monopolies, and protective tariffs. Well, therefore, may we congratulate the country on having escaped the ambitious pretensions of an institution which, after imperiously dictating the humiliating duty to the Federal Executive, of violating his constitutional obligations, now threatens, through the vengeance of a disappointed party, the rash and iniquitous retribution, of abolishing the most useful and conservative, of all the prerogatives of his department.

#### *Duties on Imports.*

The revision of the duties on imports, *justly* regarded by the people of this State with a solicitude proportioned to the burdens which the Protective Policy has hitherto imposed on them, has been made, neither in that spirit of *equity*, or of *compromise*, which we had just reason to anticipate, from the principles and concessions of the act of 1833. The history of the opposition of this State, to a Tariff for protection, can neither be obliterated nor forgotten. And the high considerations which actuated her, in consenting to compromise her interests for a term of years, to the peace and safety of the Union, should be a warning, as well as an inducement, to respect her rights, as well as her forbearance. While the government is acknowledged to be disencumbered of debt, and the manufacturing interests perhaps the least oppressed and the most prosperous of any in the Union, the renewal of a policy by *indirect* means, which is now universally admitted to bear unequally upon the productive industry of different portions of the Union, is a most flagrant abuse of power, as well as a most wanton violation of faith. The living generation, who were the witnesses of the struggles and pledges in the late contest for her constitutional rights, have not yet passed away—the monuments of the times have not yet perished—the very altars consecrated by her vows, still stand before us—even her preparations for defence, are still in readiness and requisition—the age, its records, and recollections, have scarcely become a part of history, before the very burdens and oppressions which they were intended to resist, are renewed with a shameful infidelity, which seeks neither pretext nor justification. A home valuation, cash duties, and an unreasonable and exorbitant revenue of more than thirty millions, it is believed are little less onerous in amount, or unconstitutional in effect, than the enormous forty per cent. duties which the sovereignty of this State was so sternly interposed to resist. And if, upon the principle of all protective duties, they are destined to increase to an extent and enormity to which our experience of the past, as well as the tendency of the times, most emphatically forebodes, then it will be for you to say, whether South Carolina has so fallen from her high eminence of sovereignty and independence, as to admit by a silent acquiescence in these wrongs and grievances, that there is no “mode, or remedy, no measure of redress.” If she was sufficient *then* for the emergency, she is doubly adequate and fortified *now* in the union and strength of all her citizens, to meet aggressions upon her rights, come from what source they may. Nor is it less becoming the dignity and character of a free State, in assuming a position of defence which she is resolved to maintain, to manifest a due and timely regard for all the means and appliances of rendering that position, as strong and impregnable in fact, as it is in equity, and in argument. Disregarding all theories, that so often confound the convictions of the best and purest minds, and resorting to the resources

which she can so amply command through her organized government, and with which God and the People have endowed her, there can no emergency arise, in which the hands and the hearts of her citizens, would not be invincibly united in her defence.

#### *Distribution of the proceeds of the Public Lands.*

Another topic, of not less importance in itself, or of deep moment to the citizens of this State, is the act distributing the proceeds of the public lands. As a source of revenue which it is proposed to abstract, at the very instant when the Federal Treasury is said to require to be replenished, it would seem like wantonly seeking a pretext to increase taxation. But considered in any point of view, it can be regarded in no other light than that of a distribution of the public revenue. In one year, during a previous administration, the proceeds of the sales of public lands, produced a revenue of upward of twenty millions—a maximum to which, in more prosperous times, it would possibly again attain. Its average may even now be estimated at five millions, which, if annually withdrawn from the treasury, leaves that deficiency at least to be supplied by increased duties on imports. That the government can exercise the power of taxation to raise revenue for distribution, is a principle I presume, which this State is not prepared to admit. Under the operation of the various pre-emption laws, and the frequent reductions in the price of public lands, those very States which were the largest contributors to the “Public Domain” or whose “blood and treasure” were most lavishly expended to acquire it, have at the same time been subjected to the greatest sacrifices, in the emigration of their citizens, and in the diminished value of their products, reduced by an unequal competition with the more abundant and teeming resource of those new and fertile regions, which their enterprise and industry have been seduced and abstracted to cultivate, to the waste and abandonment of their own. It was enough to have borne *all this* with patriotic devotion to the interests of our common country; but when it is proposed to divert that domain from the sacred purpose for which it was ceded, to afford a pretext for additional burdens and taxation on one class of industry, to give protection and bounty to another, it assumes a character of the highest injustice, as well as the most palpable infraction of constitutional principles.

But the most dangerous, as well as the most humiliating effect of this measure is the condition of dependency, to which it reduces the States, upon the bounty and benefaction of the government—existing as they would, in the relation of subsidiaries upon the profits of their own estate—receiving its charity, doled out from their own wealth, and subduced to a state of homage, servility, and compliance, by bribes, stolen and lavished from their own treasury. Is it not to be regarded as the first step to the assumption of State debts—designed to consummate a consolidation of interests, obliterating all distinctions of sovereignty, or pride of independence, and tending to concentrate Empire and Dominion over the rights of the States, and the liberties of the people?

I trust, however, that the spirit of reform, which has been so powerfully evoked by the errors of the late session of Congress, and so decidedly manifested in the results of the late popular elections throughout the Union, will prevent the spoils and plunder of this system, from ever soiling the treasury, or contaminating the coffers of a single State in the Union. Let us pause, *at least* for a moment, in the hope, that the correct principles and high motives of an unbought, and unterrified and incorruptible Democracy, are operating their sure and salutary influences on the counsels and measures of government.

#### *Resolutions of a sister State to alter the Constitution.*

Among other resolutions, which as the official communication of a sister State, it is my duty to submit to a co-ordinate branch of the government of this, is one proposing to alter the Constitution, to limit the eligibility of the Federal Executive to one term of office. The experience of this State furnishes no reasons for such an innovation upon the

long established usage and principles of the government. I cannot conceive that it can be productive of any other effects than to increase the usually *over-wrought* excitement of the Presidential canvass—to render its recurrence *more* frequent—to *disconnect* the relations of sympathy between the Executive and his constituents—to *divest* him of the most powerful motives to regard *the will, or to merit the approbation of the people*—and to make him the instrument of a party, to minister to its purposes, and to pander to its lust of dominations.

In all the history of our government, the influence of the Executive power, to modify its action on the reserved rights of the States, has been of a conservative, rather than of an aggressive character. More than twice has it been interposed to rescue the people from the domination and abuse of a National Bank. It was in defence of our rights and our institutions, that the determination of a late Executive to refuse his constitutional sanction to the abolition of slavery in any of its forms, was so fearlessly avowed; and this State, I presume, can have no interest or motive to remove the few salutary checks and embarrassments to the so often unjust and inconsiderate legislation of a majority in Congress, as to induce it to war against the dignity and prerogatives of a department, the weakest and most conservative, perhaps, in the government.

*Virginia Controversy with New York.—Resolutions of Alabama.*

I also submit for the serious consideration of the Legislature, a copy of the communication of the Governor of Virginia, on the proceedings of the General Assembly of that State on the subject of her late controversy with New York; and reports and resolutions from the State of Alabama, responding to the views and declarations so solemnly announced by this State, on questions deeply involving the right of property, and the security of the domestic institutions of the South. Bound by every consideration of duty, of interest, of honor, and of equity, to repel so flagrant a disregard of the rights of a sister State, we should always be ready and prompt to redeem the pledge of our alliance to a cause with which our interests are so intimately identified. Relations of amity cannot be preserved even between separate nations; in which the rights of property are not regarded as they exist, under the respective laws of each; much less can sovereign States be permanently allied in a bond of Union, under the same laws, government and constitution, where fugitives from the justice, plunderers of the property, and violators of the laws, of one, find refuge and impunity under the sanction of the constituted authorities of the other. No wrong is more readily resented by nations—no injustice can more deeply stain the faith or more essentially impair the friendly and intimate, relations of confederated States.—It would be a reproach to the character of our institutions if claims which are recognized and reciprocated by the comity and justice of all civilized nations, should be scornfully refused and contemned by States federated under the same laws and Constitution. If the obligations of the Constitution which require one State to deliver, on demand, fugitives from the justice of another, are to be disregarded—our institutions assailed—the plunderers of our property encouraged and protected—then must we regard the perpetrator of these aggressions, “no matter by whom committed,” as a *foe* to our rights, and an *enemy* to our peace. Whether the wrong in this case has been done to Virginia or South Carolina, the principle is the same, the interest involved common to both, and the responsibility of protecting them should equally devolve on every State in the Union, in which justice exercises dominion, or similar institutions exist. Persisting in such a course of unprovoked hostility to the interests and institutions of the South, New York can only be regarded in the light of any other aggressing power—in *peace* friends, but *enemies* in war. The adoption in all such instances, of a similar course of vigilance to that which the State of Virginia has instituted, would perhaps be a wise and necessary precaution, to prevent the recurrence of similar aggressions upon the property and rights of our own citizens and institutions. We ought, upon every principle

of equity and of interest, to make common cause with any State whose rights and institutions are thus wantonly violated and assailed.

*Means of Safety and Defence.*

The position which it may become this State to assume, on any of the important questions presented, would seem to suggest the importance and necessity of cultivating and improving her means of safety and defence. It would be a mere mockery to vaunt of rights, liberty, or sovereignty, without the spirit, ability or resources to defend them. It would be better at once to endure threatened or impending ills, unaggravated by opposition, than by unmeaning denunciations, and impotent exhibitions of resistance, to provoke and increase their *bitterness*. Prohibited, both by the character of our institutions, and the restrictions of the Constitution, from resorting to any other means of cultivating our military resources than through that of a well-trained and organized militia, it should be cherished to the highest state of perfection, and with a pride and assiduity to make it the most efficient, as it is the *only* means of defending the rights, the honor, and sovereignty of the State. The improvement in which it so rapidly progressed, under the influence of the late Brigade Encampments, offers the highest encouragement to the continuance of your patronage as well as the happiest illustration of the beneficial effects of the mode in which it has hitherto been conferred. Assembled in these Normal Schools of drill and tuition, where a patriotic emulation was excited—where knowledge was imparted and received, under the criticism of the most improved and accomplished officers—where such favorable opportunities were afforded for discriminating the qualifications, both of the soldier and the citizen—and where that martial pride and feeling was acquired, which is the *best*, perhaps the *only* foundation of an elevated patriotism, combining so many motives, stimulant advantages and incentives—it is not surprising that from its results I should be enabled to give you the gratifying assurances that our militia now comprises in its organization, a class of officers whose knowledge and accomplishments, would do credit to any age, or service, or country. With such inducements before us, it is deeply to be regretted, that an experiment productive of so many advantages and improvements, without any detracting consequences whatever, should have been prematurely abandoned.

Already are the effects of that abandonment visible, in the wanting enthusiasm of the service, and the resignation of some of our ablest officers, from a conscientious regret and despondency, for the future usefulness and efficiency of their exertions. Such indications as these should be regarded as a solemn invocation to restore a system from which the State has derived such important benefits. Confined perhaps as those encampments should be, to commissioned officers, it is not to be presumed that any officer would be so insensible to the honorable pride of his vocation, or to the confidence which the State “reposes in his courage and fidelity,” as to regret the privations and inconveniences of five days camp service, to learn the art of defending his country and its institutions. With some slight and salutary modifications of the law by which they were regulated, it is confidently hoped that they may be made the schools of correct morals, as well as of patriotism and military discipline. With the alteration or addition of such provisions as may promote this desirable object, the bill under the consideration of the Legislature, at the last session, in December, and revised by the Adjutant General, with the accompanying report, is respectfully referred to your consideration.

Amid all the portents of the time—the peril that everywhere surrounds our *domestic* institutions—the emergency that may call upon us to vindicate our rights and principles—I cannot but again and most seriously invoke your attention, to that organization of our military resources and defences, without a due regard to which, no State action can be efficient, and the assertion of sovereignty itself be but a by-word and a reproach, without dignity, and without effect.

The contingency of a National War, (remote and distant as I trust it still is,) cannot be overlooked, among the numerous other inducements to improve our military resources.

The most exposed, perhaps, as we are, to its ravages, from the neglected condition of our coast—the greatest sufferers, from the burdens which its expenses are destined to impose—no matter *how provoked or originating* whether by the ambition of one power, or the officious border aggressions of the other—there can be I am sure, no selfish or ignoble considerations, that would ever restrain the most generous contributions upon the part of this State, of treasure or of arms, to save the national honor from tarnish or disgrace.

*Banking Institutions—Suspension of Specie Payments.*

By an Act of the Legislature, in December last, the duty was devolved on this department, of proposing for the acceptance of the several banking institutions of this State, an Act to amend their Charters, with a view to prevent the future suspension of specie payments. The Bank of the State, the South-Western Railroad Bank, the Union Bank, and the Planters' and Mechanics' Bank, with a commendable desire to conform to the wishes and objects of the State, have, in good faith, and sincerity, accepted its provisions.

In executing the instructions of the Legislature, in that spirit of mildness and forbearance in which I am sure they were conceived, I deemed it proper to overlook the delay of a few weeks, after the precise period fixed by law, for the acceptance of the two latter institutions; apprised as I was, that it had arisen from unavoidable circumstances, and not from a wilful neglect or refusal to comply with the requisitions of the law.

It is due to the high character which these institutions have hitherto sustained, and I am sure reflects no injustice upon the motives of the Legislature, to state, that the object of this enactment was to prevent anticipated evils, rather than to punish *past or existing* abuses. The Federal Government having, in the exercise of a wise and sound policy, abandoned that control over the currency which it had hitherto *usurped*, the necessity of a stricter supervision over the *monetary* affairs of this State, had become more obligatory upon those, to whom the people have entrusted the power of regulating them.

In such a state of things, it could not be deemed an unnecessary or officious act of caution, upon the part of this State, if she resorted to all the ordinary and legitimate means of rendering her own currency, sound, safe, adequate and stable. The exercise of these means she has hitherto delegated, in a great (and perhaps an imprudent) extent, to her banking institutions, by the extraordinary privileges and immunities with which she had endowed them. If the trust has heretofore been faithfully and ably executed, the merit is to be ascribed to the virtue, and fidelity of the agents, rather than to the want of any power or opportunity, to abuse it; or to any provisions in the laws, to restrain or punish it. Under these circumstances, this State was perhaps necessarily forced to entertain the question, whether she had *irrevocably* parted with *all power* to regulate her own currency, or delegated that power, without reserve, restraint, control, or supervision, on her part, for the term of years for which she has chartered her moneyed institutions. If in fact there does exist this *imperium in imperio*, for the exercise of so important a power, the people of this State might well ask, upon what constitutional principle a *sovereign right*, which can only be exercised *legitimately* by their own government, has been delegated to agents, politically irresponsible to them. In such an issue, it is not a very remote or fanciful anticipation, that if so important a right were indeed improvidently lost in law, it would but too probably, in the absence of any other resort, be reclaimed by revolution.

The wisdom and propriety of retaining some checks and guards, similar to those which have been proposed, upon the extraordinary privileges with which this State has endowed her chartered institutions, is I presume universally admitted, in reference to those hereafter to be chartered. It will readily, however, occur to every reflecting mind, that a prospective legislation in this respect, could remedy none of the existing evils.

The banking capital of the State is more than equal to its exigencies and requirements, and the most of those corpora-

tions in which it has been vested, have many years to complete the term for which they were chartered. Such a discrimination with regard to future and existing institutions, would therefore be as *inefficient* as it would be *invidious*.

If I have a just and proper conception of the objects of the proposed amendment, it was with these views and conceptions, that the State thought proper to require these salutary concessions from her chartered institutions, to her sovereign authority and supervision. Deriving extraordinary privileges and immunities from her liberality, she has pre-eminent and irresistible claims upon *their* confidence and gratitude.—Trusted for a long course of years, with the exercise of right and powers and franchises sovereign in their nature, and which can appertain to none of her citizens individually, she may well urge a moral, as well as a political right, to be trusted in turn, with a discretion, which she cannot exercise for her *own* interest without promoting *theirs*. That she has generously sustained them in all past misfortunes and difficulties, is the highest evidence of her future kindness and liberality; and should be the last pretext invoked, to sustain either present or future acts of contumacy. And while the interests of her citizens are so intimately connected with their stability and success, the restraining influence of a just and enlightened popular feeling, will be ever ready to interpose, to prevent the capricious exercise of legislative authority.

To these high considerations, may perhaps be added another, of not less practical importance: that the salutary influence of State authority would perhaps greatly conduce, in times of extraordinary calamity, to prevent those controversies and discussions between the banks themselves, which were so unhappily exemplified in the history of some of our own institutions, during the disastrous events of the late suspension. That it has already exercised a salutary and judicious influence, may be inferred from the fact, that under the operation, of its provisions, the banks of this State *alone*, of all the institutions South of the Potomac, have in good faith and reality met engagements or demands for specie, without pretext or evasion.

Whatever may have been the motives or necessity which induced to the enactment of this statute, the rejection of its provisions, by some of these institutions, has made it a question of the gravest import, from the discussion and decision of which, this State cannot, without a sacrifice of her dignity and self-respect, shrink, or recede. In this aspect of the question, I felt constrained, by every sense of duty; as well as of *allegiance*, to exercise all the authority with which I was entrusted by the Legislature or the Constitution, to enforce the objects of the law through the judicial tribunals of the State. With this view, I deemed it proper to engage the services of several of the most efficient gentlemen of the Bar as assistant counsel, to co-operate with the Attorney General, and Solicitors. I regard it as the more necessary to do so, as the season of the year at which the Court was held in Charleston, as well as the demands of their respective Circuits, would necessarily deprive the State of the able service of *some*, if not *all*, of the Solicitors. I had no authority to *command* their presence and services in Charleston; and under such circumstances of inconvenience, as those under which they would have been rendered, I could not presume *officially* to request them. The arduous duties which would therefore have devolved upon the Attorney General, could not have been performed, even by his indefatigable zeal and industry, but at the expense of every other duty and engagement. And although having every confidence in the talents and attainments which have so deservedly placed him at the head of his profession, yet the grave responsibility of advocating the interests of the people, and the dignity of the State, on a question of such vital importance, I regarded as too *great*, as too serious, (and it was even deemed so by his modest sense of his own merit,) to be devolved on the abilities of a *single* advocate.

From the manner and ability with which their duty has been performed, I have derived the greatest satisfaction; and the people and the State I trust, lasting and essential benefit, from the arduous and able efforts with which their rights and interests have been vindicated, and discussed.

*Permanent and prospective mode of regulating our Currency.*

In connexion with these remarks, relative to the controversy into which this State has been so unfortunately drawn by the *recusancy* of some of her banking institutions, it may not be improper for you to direct your views to the consideration of some permanent and prospective mode, of regulating our currency. I assume, of course, that this State can never acquiesce in the existence of a National Corporation, or admit the necessity of subjecting its monetary affairs to the arbitrary and exclusive control of such an institution.

Much of the pressure and difficulty under which our community has labored, has arisen from the constraint imposed upon the operations of our banking institutions, by the dissensions, necessarily incident to an inequality of banking capital. There is probably no fact in the economy of banking operations more incontrovertible, than that the business of a *moderate capital*, under ordinary circumstances, is usually productive of the highest rates of profits. And if, in our experience, there exists any exception to this rule, in favor of the larger banking institutions, it is because the late policy of the State, in creating so vast a *disproportion* of capital as now exists, has substituted the dominion of the few, for the honorable competition of all, and thereby produced strife and discord, where nothing but a generous emulation of profit and usefulness, should prevail.

The greater profits of the banking system are presumed to be derived from its operations in exchanges. In proportion to the exorbitancy of the rates produced by the derangement of the currency, and the pressure and difficulty of the times; and in proportion to the advantages of the capital by which an institution may monopolize that branch of business, so may its interest and tendencies be directed to protract, and even to increase that State of disorder, from which it acquires its greatest gains. It cannot, therefore, be a wise policy which supplies to private corporations, in excessive capital, the power, motives, and inducements to profit by the embarrassments, or to extort from the necessities and inconveniences, of the people.

*Bank of the State.*

I do not mean by these general propositions, to imply a censure on the conduct, or illustrate the abuses of any one of our own institutions. The example of one of them, at least, during the late suspension, so far from manifesting such a policy, cannot be too highly commended for its forbearance in the use of its advantages, as well as its wisdom and firmness, in maintaining the faith and credit of the South. Still, an undue and dangerous power over our currency, is *necessarily* incident to the position of financial autocracy which it occupies. And if that power has not been tyrannically or corruptly used to its injury, or the detriment of the public, it has been owing solely to the discreet forbearance of those who wielded it, and not to any safeguards provided by the laws to restrain it.

A reduction of the capitals of the several banking institutions of this State, (were their charters to be renewed,) to some common and moderate standard, *less* than that of our State institution, would probably prevent the recurrence of future evils arising from this cause. But in the meantime, to strengthen the influence of our State Bank, either by an increase of capital or of immunities, is perhaps at present, the most efficacious, and the *only* means, of correcting existing ills, which legislative action cannot otherwise reach, without violating the charters which sanction them. Whether this State should participate in banking operations at all, cannot now be regarded as an open or a practical question. But whether she should not use her institution, in the language of a distinguished statesman, to "unbank" the abuses of the system, is a policy that deserves to be well considered. Such a position it is presumed the Bank of the State would occupy, with a most dignified, salutary and judicious effect. Certain it is, in my estimation, that so long as the State engages and competes in banking operations, her institution should at least exercise a *controlling influence* on her monetary affairs; or else present the strange po-

litical anomaly of the public treasury, (with which it is practically identified,) and the people's money, subjected to the capricious and selfish domination of private corporations which, however beneficently exercised heretofore, is always liable to abuse. That its present resources are inadequate to this object, is but too apparent from the inconvenience and restrictions, to which, in all times of great pressure and difficulty, it has been subjected.

Whether it may not be expedient, in the event of increasing its capital, to associate private interests, which may always exercise a salutary vigilance on its operations; or, by merging, as their charters expire, the whole banking capital of the State into one system, *proportionately* controlled by the Stockholders and Representatives of the people, are measures which I would suggest as worthy of your consideration. Such a system of finance, if *uniformly* adopted by the States, regulated and modified by the influence of a national sub-treasury system, it is believed would furnish the *best and soundest currency* in the world.

The report of the President of the Bank will apprise you of the profits which have accrued from the transactions of this institution for the past year; and for a review of the circumstances and embarrassments pervading the community under which they have been realized, you need not be referred to a monitor more faithful than your own experience. Satisfactory as those profits are, considering the character of the times, they have been derived from accommodations as beneficent in their effects, as they have been safely and judiciously administered, for the benefit of the institution itself. Without resorting to any of the usurious expedients of the times, its resources have, I believe, been as faithfully and humanely directed to *protect* the property of the citizen, as patriotically to subserve the interests of the State.

*Financial Affairs of the State.*

From the aspect of the financial affairs of the State, as you will find presented in the Comptroller's Report, you will perceive the expediency of exercising the same rigid and judicious economy, in the disbursements of the revenue, which has hitherto prevented the necessity of increased taxation.—Additional burdens upon the labor and property of the people, should not be imposed in times of such embarrassment and distress, except for objects of such primary necessity and importance, as affect the *permanent weal and safety* of the State, or any of the great *principles of constitutional liberty*. Improved as our resources are, in comparison to the aspect presented at the last session, the treasury is still *far* from having obtained a redundant and overflowing condition. It will be found, I trust, however, adequate to meet all such necessary exigencies as cannot be neglected without consequences more ruinous than the most wasteful and inconsiderate extravagance.

*Public Works and Improvements.*

The condition of the public works and improvements effected at so much cost to the State—some of which are still unfinished, others unprofitable, and many falling into decay—will demand your attention, either to abandon, repair, or otherwise dispose of them. The sale or ease of many of them, under the supervision of commissioners appointed in the several communities in which they are located, at a price not less than the value, (estimated by the Comptroller or Superintendent,) would perhaps be one of the most efficacious and satisfactory modes of relieving the State from farther embarrassment and expense.

The impracticable condition of the road through Vance's Swamp, and its great importance, as the ordinary, and I believe, the only channel of intercourse with Charleston, to more than three districts in this State, as well as a large portion of North Carolina, makes it highly desirable that the liberal appropriations already made to improve it, should not be utterly lost, by the ruinous and incomplete condition in which it now remains. More than twenty thousand dollars were expended by the State, in constructing the original road; from which it has derived neither benefit nor improvement. Ten thousand dollars were afterwards received by a contractor, for erecting the skeleton of a bridge which having



been rejected as perishable and dangerous, was abandoned and removed. Of the last appropriation of twenty thousand dollars to embank the swamp, the contractor has received the first instalment, and after accomplishing a very considerable portion of the work, at a ruinous expense to himself, has been compelled to abandon it, from the exhaustion of his resources, the influence of recurring freshets, and an inability to complete a contract so far exceeding the estimated cost and labor. The balance of the appropriation still remains in the treasury; and if diverted from the object first contemplated by the Legislature, will leave the State without a single corresponding benefit, to compensate for all the sacrifices of treasure, which have been so ruinously sustained by both State and individuals.

#### *System of road working.*

No portion of the police or statistics of the State, is presumed to require more radical reform, than our system of road working. There is no object upon which so much labor and expense is so unprofitably bestowed, or so unequally contributed, by the different classes of society. Notwithstanding the annual impositions upon the time, labor, and purses of our citizens, the condition of our roads is far from manifesting a corresponding degree of improvement. Nor is it less obvious, that much the greater portion of the burden which the present system devolves upon the people, is sustained, almost exclusively by the *agricultural* interest.—The labor or profits of the capitalists, or of the professions, (no matter how productive or enormous,) are practically exempt from these assessments, which always recur, and which sometimes fall with much inconvenient force upon the interests of the planter. Nor are the objections arising from principle, less cogent than those which are so amply illustrated, by the experience of its inefficiency and inequality. The sovereign power of taxing, even within a limited discretion, the property and labor of the people, as possessed by the Board of Commissioners, now established in the several districts of the State, can never be safely or wisely reposed in *any* body of men, however virtuous or discreet, not *elected* by the people themselves, and wholly irresponsible to any of the penalties of the law, or even to the consequences of impeachment, for any of the ordinary abuses of the trust. The powers entrusted to the Board of Commissioners, are not only of a *ministerial*, but, to the extent to which they are vested, of a *legislative* character; and if they have not been hitherto abused, to the oppression of the citizen, it is because the forbearance and justice of the officers have imposed more salutary restraints, than the provisions of the law. If powers of the same character and extent, were conferred in a military or any other tribunal, accompanied with the *self-perpetuating* prerogative of electing its own members, the liberties of the people, and the authority of the government would be regarded as deeply endangered or subverted. I do not know whether the effects of the present system are most to be deprecated, in the execrable condition of *most* of our high-ways, or in the capricious, partial, and oppressive exercise, in numerous instances, of the most despotically and obnoxiously administered power, in the State. If, therefore the present system must necessarily be continued, from a supposed impracticability of devising any other, I would recommend that the appointment of the members of the several boards, should devolve upon the people, at the same time, and under the same restrictions, as appertain to the election of their Representatives. If it cannot be inspired with a spirit and energy for usefulness, let it at least be shorn and divested of its power and tendency to evil. I cannot I trust *too impressively* invite your attention to a subject of so much practical importance; and while the improvement of roads, as one of the indispensable means of advancing commerce, has justly been regarded in all ages of the world, as the evidence of increasing prosperity and civilization, the patriotic emulation which I am sure you are always ready to manifest in promoting the weal, will direct your most sedulous exertion to the improvement of our own.

#### *Revision of the Criminal Law.*

The revision of our criminal law, in many essential particulars, is required by the dictates of policy, as well as of

humanity. The effects of time and circumstances, have produced so many modifications in the character of some crimes, that it is difficult, in many instances, either to procure convictions or enforce punishment. Where the penalty exceeds the sense of public justice or where the feelings of commiseration for the culprit overpower the apprehension of consequences to the safety or interests of the community, neither the wisdom of the Judiciary, nor the firmness of the Executive, can prevent a law from becoming as absolute as it is odious. Of this class of cases may perhaps be enumerated some of the lesser grades of forgery, the punishment of which as a capital offence, has gradually been ameliorated, even by the policy of those nations, from whose commercial exigencies, they were originated. Were it even necessary to have exceeded, in this instance, the inflictions of the divine command, in the enumerated offences to be expiated by death, it is to be hoped that the force of that necessity has gradually diminished, under the influence of time and circumstances.

#### *Trial of slaves for capital offences.*

The trial of slaves for capital offences, in the ordinarily summary mode of process, and in the midst of all those circumstances of excitement in which feeling of partiality or of prejudice are so apt to predominate, must be admitted to be capable of producing those perversions in the administration of justice, from which the rights of humanity and the interests of property should be protected. Within the small circle of neighborhood communities, so easily swayed by passion or feeling, vindictive motives to the master, may sometimes conduce to the punishment of the slave, while the influence of a popular favorite, on the other hand, may be successfully exercised to extenuate the crimes of the culprit. The result of my reflection and experience, therefore, induces me to reiterate the recommendation of one of my predecessors to alter the present mode of trial to a jury of twelve freeholders, to be assembled at the court house; and the prosecution in all cases (and the defence when practicable) to be conducted by counsel. The convenience of the Parishes, remote as some of them are from the seat of justice, may readily be accommodated by special provisions. If, in making this recommendation, I have said little more than to repeat the suggestions of some of my predecessors, it is perhaps for that very reason entitled to your more serious consideration, as the result of the matured and accumulated experience of this department, in all its stages of occupancy and of succession. The instances of awakened regret and contrition, on the part of many of those judicial tribunals, invoking the interposition of executive clemency, to modify or arrest their own hasty and often illegal convictions, are of frequent and ordinary occurrence.

#### *Free School Fund.*

The present mode of applying the Free School Fund has been productive of no benefit, to correspond with the most munificent of all the benefactions of our State Government, to improve the moral condition of her people. The experiment of many years, not only presents us with the result of a large proportion of our indigent citizens, who have grown up without the encouragement or the opportunity to participate in its advantages, but at the same time forces upon us the conviction, that these opportunities, when enjoyed, have in many instances been accompanied by a standard of morals, as well as of tuition, as vitiated, and perhaps more injurious, than the worst consequences of the most profound ignorance. While our grammar schools and literary seminaries have advanced and improved in proportion to the increasing intelligence of the age, and to the higher requirements of our colleges, the character of our free schools has depreciated in all the essential requisites of a sound and judicious course of education. Where are their beneficial effects to be witnessed, in any of their influences on society? Where are the monuments of their usefulness to be seen in any new illuminations of science, or improvements in the arts? What signal example can be adduced, to illustrate a solitary instance of moral or intellectual reclamation, for the expenditure of more than thirty-six thousand dollars annu-

ally? Better would it be to leave the mind entirely to nature's influences, and Heaven's inspiration, than to pervert the understanding, and corrupt the heart by a depraved and injudicious course of education. The result of so many years' experience, is enough to dissatisfy your hopes, in the present mode of applying the liberality of the State, but not I trust, to discourage your efforts to improve it. When the State assumes to become the guardian of the education of any portion of her citizens, the character of that education should be of a kind not inferior to the most useful and improved standard of tuition. I am inclined to the conviction, that if elevated to the condition of the highest order of English grammar schools—one to be established in each district, county, or parish—the course of instruction being chiefly directed to the acquisition of some of those scientific attainments so necessary to success in the useful and mechanic art—and associated with a system of manual labor, to invigorate the body, as well as to enlighten the understanding—they would attain to a much more permanent and extended sphere of usefulness. But a very necessary arrangement, in my view, to any radical reformation in the system, would be the appointment of a general Superintendent, whose practical observation and experience, would furnish many valuable suggestions for your future action; as well as introduce in the meantime, salutary improvements, in the present mode of instruction. If the expense of a salary should be thought to constitute an objection to this experiment, the amount necessary to compensate such an officer, might be beneficially abstracted from the fund itself; and I have no doubt will be found to contribute to the economy, as well as the improving effects arising from the distribution of the balance.

*Treaty to extinguish the Title of the Catawba Indians.*

In pursuance of an act of the Legislature, to carry into effect a treaty, to extinguish the title of the Catawba Indians, to land in the districts of York and Lancaster, and to purchase other territory for their residence and subsistence, an agent, in whose intelligence and fidelity the greatest confidence is reposed by the proprietors and chiefs, was appointed by this department, with such specific instructions as were deemed best comporting with the wise and benevolent views of the Legislature. By the report of the agent herewith transmitted, it will be perceived, that the objections urged by the Executive of North Carolina, to the purchase of land in that State, precludes the possibility of gratifying the wish expressed by some of their chiefs, to unite their declining tribe with the remains of the Cherokee Nation, now resident there. It is hoped, however, that the acquisition of other lands, within the limits of our own domain, may be advantageously made for them; and the faith of the State, as well as the exigency of this now homeless and landless people, require that the necessary appropriation should be made during the present session, to comply with this important condition of the treaty. The proprietors having on their part conformed to all the stipulations and requirements of the law and the treaty, the taxes imposed by the Legislature, having been received into the Treasury—and the annuities which have hitherto constituted the ordinary means of subsistence to the Indians, being accordingly abstracted—the fulfilment of the obligations assumed by the State, is now imperative, to relieve this improvident people, from a state of utter destitution, and dependence on the charity and benevolence of the community.

*Resignation of the late President of our College.*

I regret to communicate to you the resignation of the late President of our College, whose sphere of usefulness, in that high and dignified station, has been occupied with such decided and distinguished benefit to the institution, and to the State. Under his wise and judicious control, its literary character has not only been more than fully sustained, both in the acquirements of the students, and the ability of the professors, but its *morals* have at the same time advanced to a state of purity and improvement, which it is believed has never been surpassed, in the experience of this or any other seminary. Deeply regretting the loss, as well as the circumstances which have deprived us of his services, we may

still confidently hope that his character and example are so indelibly impressed upon the institution, and its successive generations of youth, that its lingering influences will continue to guide and to actuate it, in the same honorable course of virtue and success. I need not, I trust, recommend to your continued favor and patronage, an institution, whose enlightened contributions have extended to *every* pursuit and avocation—*every* art and science, as cultivated in our State—and whose influences have been diffused through all the walks and vocations of life, occupying every station in society, pervading every profession, and adorning the bench, the bar, the pulpit, and our legislative councils. The moral weight and influence which South Carolina has so long exercised, through the talents and usefulness of her statesmen, on the affairs of this Union, and which this institution has so largely contributed to preserve, is of itself an over-ruling inducement to foster and improve it.

*Encouragement to Agricultural Improvements.*

Encouragement to promote agricultural improvements, have never received that consideration which their importance merits, from the representatives of a people so entirely absorbed in the pursuit, and dependent upon the success of that branch of industry, as are the citizens of this State. It would not be so much a matter of surprise (however improvident it might be regarded) if its interests had been so entirely neglected or overlooked, by the government of a community purely pastoral or commercial. But in South Carolina, it is admitted to be the *great*, the *absorbing*, and *almost the only* productive interest; and our daily experience proves, that it is the constant aspiration of every other employment, to vest its accumulated earnings in its pursuit.—In the economy of this State, it is the *aliment of every other* business and vocation. Its productions supply the traffic of the merchants; its requirements give employment to the professions; and its patriotism and industry contribute the larger portion of our revenue. Our statute books furnish ample evidence of a wise and provident regard to protect, as well as to promote, the interests of other classes and pursuits, by the limited partnerships, commercial regulations, and corporate privileges and franchises, which they have so *liberally* established. In the benefits of legislation, either partial or discriminative, to advance its peculiar interests, it does not comport with the independent character of the agricultural community, to *desire* to participate. But in the development of the wealth of the State—in the improvement of objects common to the enterprise and the interests of all—it might reasonably solicit and expect, the aid and patronage of our State Government. A Geological Survey of our mineral resources, (which chance and accident are every day so wonderfully developing,) a scientific analysis of the different soils, so important to their profitable and judicious culture, may I presume be considered among the *general* and *legitimate* objects to which legislative encouragement should be directed. The beneficial influence of the productive corporations and other new investments of capital, so usefully and successfully operating to promote the prosperity of the interior and upper portions of the State, are illustrative of the policy of instituting scientific researches, to enlighten and stimulate their labors. In diversifying the pursuits of industry—in extracting, as well as diffusing, the permanent sources of wealth from the valuable ores and products of the earth—they have increased and multiplied the means of national prosperity, added to the comforts and conveniences of society, distributed new employments, and infused life, energy and enterprise, into the habits and character of our people. A small annual appropriation to establish *premiums*, promotive of the objects to which the State Agricultural Society has so patriotically devoted its attention, would greatly contribute to aid its laudable exertions, to inspire the emulation, as well as to enlighten the experience, of our citizens. The beneficial influence of legislative patronage, in such instances, may be illustrated by the successful example of those States, by whose experience it has been tested; and while it must necessarily tend to dignify, as well as to encourage, the great and important interest, upon the success of which the prosperity of this State so

mainly depends, it is at the same time, exempt in my view, from those objections which may reasonably be urged, on principle, to the practice of conferring privileges, protection, immunities, or franchises, on particular classes or associations of citizens.

Dilapidated and ruinous condition of the State House.

The last but not the least interesting topic to which I would invite your attention, is the dilapidated and ruinous condition of the State House, and its appendages; the offices and basement apartments of which, are in a most cheerless and uncomfortable state of inconvenience, and decay.—Venerable for the purposes it has subserved—associated with the most important events, and the proudest recollections of the past—consecrated by the eloquence and the patriotism of which it has often been the scene and the occasion, it is well worthy of the pride and fostering care of those, into whose guardianship it has now descended. The moral influence of a high State example, exercised in the wise economy of improving, as well as protecting, the property of the people and of the State, and in delighting to honor and embellish the ancient Halls of our ancestors and predecessor, is practically more effective to fix the attachment of our citizens on our institutions, and to stimulate the enterprise and emulation of the people to improve their individual comforts and resources, than all the speculative inducements, which either philosophy or legislation can proffer. We should therefore regard the mouldering effects of time, upon the venerable walls of our Capitol, with the same sedulous care, and reverential solicitude, to remove them, as we would defend and build up the breaches and innovations of lawless and ambitious encroachments, on the sacred barriers that surround the sovereignty and independence of the State.

JOHN P. RICHARDSON.

EXECUTIVE DEPARTMENT, }  
Columbia, November 23d, 1841. }

Rochester Aqueduct.

This noble structure—one of the greatest in the world—shows forth now in its fair proportions. It is now completed, excepting the railings.

The whole length is about eight hundred and fifty (850) feet—including the wings. The height, from the rocky bed of the river, is 27 feet to the top of the coping. The width of the structure, or rather the length of each pier on its foundation, is 75 feet. The width of the water-way is 45 feet; and the thickness of the walls about ten feet—the coping on the top of the walls serving on one side as a tow-path, and on the other as a passage way for pedestrians crossing the river.

The iron railings to secure horses and passengers on each side, are now in progress; and will be erected next spring.

The whole work, constructed in the most solid manner, of Onondaga cut stone, (filled in with stone quarried in the bed of the Genesee at the foundation of the Aqueduct,) is one of the noblest of the age.

The cost of the whole structure is probably about a half a million of dollars.—*Rochester Evening Post.*

Wisconsin Lime.

It has been discovered recently that the pebbles on the shores of the four lakes in Wisconsin furnish a lime equal to the best Louisville pebble lime for any kind of finish or cement, and is not surpassed in point of whiteness, gloss and beauty for the finish of the finest work. Mr. Wilcox intended plastering the Capitol at Madison with this beautiful article. This lime is a valuable discovery, and is exceedingly important, as the pebbles can be obtained at almost any point of the shores of these beautiful lakes.

Wild Pigeons

Are swarming in the woods of the South-West—the Arkansas Gazette mentions, that a friend killed 110 at a single shot with a musket. They are also in immense numbers in the neighborhood of Nashville.

Statistics of Methodism in the U. S.

Year.	Conference.	TOTAL.		INCREASE.		DECREASE.	
		Members.	Preachers	Members.	Preachers	Members.	Preachers
1773	1st.	1,160	10				
1774	2d.	2,073	17	913	7	....	..
1775	3d.	3,148	16	1,075	....	....	1
1776	4th.	4,921	25	1,873	9	....	..
1777	5th.	6,968	36	2,047	11	....	..
1778	6th.	6,095	29	....	....	873	7
1779	7th.	8,577	49	2,482	20	....	..
1780	8th.	8,504	42	....	....	73	7
1781	9th.	10,539	54	2,035	12	....	..
1782	10th.	11,785	59	1,246	5	....	..
1783	11th.	13,740	82	1,955	23	....	..
1784	12th.	14,986	83	1,248	1	....	..
1785	13th.	18,000	104	3,614	21	....	..
1786	14th.	20,681	117	2,681	13	....	..
1787	15th.	25,842	133	4,161	16	....	..
1788	16th.	37,354	166	11,512	33	....	..
1789	17th.	43,262	196	5,908	30	....	..
1790	18th.	57,631	227	14,369	31	....	..
1791	19th.	63,269	250	5,638	23	....	..
1792	20th.	65,980	266	2,711	16	....	..
1793	21st.	67,643	269	1,663	3	....	..
1794	22d.	66,608	301	....	32	1,035	..
1795	23d.	60,291	313	....	12	6,317	..
1796	24th.	56,664	293	....	....	3,627	20
1797	25th.	58,663	269	1,999	....	....	31
1798	26th.	60,169	267	1,506	....	....	5
1799	27th.	61,351	272	1,182	5	....	..
1800	28th.	64,894	287	3,543	15	....	..
1801	29th.	72,874	307	7,980	29	....	..
1802	30th.	86,734	358	13,860	51	....	..
1803	31st.	101,070	380	17,336	33	....	..
1804	32d.	113,134	400	9,064	20	....	..
1805	33d.	119,945	433	6,811	33	....	..
1806	34th.	130,570	452	10,625	19	....	..
1807	35th.	144,590	516	14,020	64	....	..
1808	36th.	151,995	540	7,405	24	....	..
1809	37th.	163,038	597	11,043	57	....	..
1810	38th.	174,560	636	11,522	37	....	..
1811	39th.	184,567	668	10,007	32	....	..
1812	40th.	195,357	678	10,790	10	....	..
1813	41st.	214,307	700	18,950	22	....	..
1814	42d.	211,129	687	....	....	3,178	13
1815	43d.	211,165	704	36	17	....	..
1816	44th.	214,235	695	3,070	....	....	9
1817	45th.	224,853	716	10,618	21	....	..
1818	46th.	229,627	748	4,774	32	....	..
1819	47th.	240,924	812	11,297	64	....	..
1820	48th.	259,890	896	18,966	84	....	..
1821	49th.	281,146	977	21,256	81	....	..
1822	50th.	297,632	1,166	15,876	129	....	..
1823	51st.	312,540	1,226	15,518	120	....	..
1824	52d.	328,523	1,272	15,983	46	....	..
1825	53d.	348,195	1,314	19,672	42	....	..
1826	54th.	360,800	1,466	12,601	92	....	..
1827	55th.	381,997	1,576	21,197	170	....	..
1828	56th.	421,156	1,642	39,159	66	....	..
1829	57th.	447,743	1,817	29,305	175	....	..
1830	58th.	476,153	1,900	37,935	83	....	..
1831	59th.	513,114	2,010	37,114	110	....	..
1832	60th.	548,593	2,200	35,479	190	....	..
1833	61st.	599,726	2,400	50,978	200	....	..
1834	62d.	638,784	2,625	39,048	225	....	..
1835	63d.	652,528	2,758	13,665	133	....	..
1836	64th.	650,678	2,929	....	171	1,857	..
1837	65th.	658,574	3,147	5,542	218	....	..
1838	66th.	696,549	3,322	41,933	175	....	..
1839	67th.	740,459	3,557	44,209	235	....	..
1840	68th.	852,918	3,865	57,473	178	....	..

## Description of the Cast Iron Light House.

Messrs. Editors: The Light House was undertaken at the suggestion of the leading Merchants of St. Jago de Cuba, who obtained the approval of the superior authorities of the Island. Mr. Verbrughe, the Belgian Consul, on a late visit to his country entered into an agreement with the subscriber to make the whole complete, and at the suggestion of William Kemble, Esq. it was built of cast iron. It is to be placed on the Moro Castle at the entrance of the Harbor of St. Jago de Cuba. The form of the tower is octagon, the diameter of the base is ten feet, under the top seven and a half feet, the height eighteen feet. It is built in three sections, the top not included; each section contains eight panels. The weight of the lowest section is 7821 lbs., the second 5633 lbs., the third 4543 lbs., the top or cap 2617 lbs. The weight of the whole, the lantern included, will be about 30,000 lbs. Over the door is the arms of Spain, with the maker's name, and "New York, 1841." It is a revolving light. Some of the advantages of a cast iron Light House are, 1st, durability; 2d, being portable; 3d, the room obtained inside; 4th its easy erection on places that would cost from 2 to 300 per cent. more to build of stone or brick. The Light House can be seen in North Moore street near Varick.

JOHN ROGERS,  
410½ Broadway.

N. Y. Journal of Commerce.

## Indian Mounds.

On page 343, is an article taken from a St. Louis paper, relating to the mounds. We find in another paper, the following explanation in part:

One of the large mounds on the north of St. Louis, Mo. was lately opened and the skeleton of an Indian warrior found in it. This fact was thought to settle conclusively that the mounds were artificial, a point on which some doubt has been entertained. The following from the St. Louis Republican shows the danger of drawing conclusions from such premises:—

A gentleman who has long been a resident in this city, called upon us and informed us that he entertained no doubt that the coffin dug out of the Big Mound, to which we alluded, was one of the Osages, buried there about 1820; that he remembers distinctly, that five of this tribe died in the city about that time, of small pox, and were buried there at the request of their companies. This being so, the question of the purpose of these mounds and by whom made, still remains as far from solution as ever.

## Fires in Mobile.

During the year ending 1st November, there were thirty-three fires and alarms at Mobile; five were extinguished before the arrival of the engines. One brick and eighteen frame buildings have been destroyed, at a loss of about \$15,000. Nine fires, in which is included the bulk of the loss, were supposed to be the work of incendiaries. The amount of insurance on the above buildings was trifling.

## The Mendi Negroes.

The 35 surviving Africans of the Amistad embarked at New York for Africa, in the bark Gentleman, bound to Sierra Leone, which was towed down the harbor by a steamer. They are accompanied by Rev. Messrs. Steele and Raymond and Mrs. Raymond, Missionaries, and Mr. Wilson and wife, teachers. Before their departure several public meetings were held in New York, which were attended by many persons, particularly by friends of the missionary enterprise, connected with the return of the Mendians.

VOL. V.—46

## Railway Profits in Massachusetts.

To the Editor of the Courier & Enquirer:

Having been much gratified with your table of receipts on *British Railways*, compiled by Mr. E. Williams from the London Railway Magazine of October, I present you with the returns of nine railways in Mass. in use in 1840. Also a comparative table of the cost, receipts, income and dividends for four years, of the Boston and Lowell, the Providence and the Worcester Railways. These several roads present a success with the railway system, that is not exceeded on the best lines in England, where the population, so much exceeds that of Massachusetts to the square mile.

If we add to the cost of the nine enumerated roads .....	\$15,329,192
The cost of the Boston and Portland road, up to 1840. ....	523,091
And the estimated cost of the Albany and West Stockbridge Railroad, (a part of the Western) .....	1,412,840

We find expended by Massachusetts. .... \$17,265,025  
with an average annual nett income of 7½ per cent.

The main line from Boston to Worcester is 44½ miles; from Worcester to West Stockbridge, 117, and from Stockbridge to Albany, 38½—in all 200 miles.

The cost of this road, with the depots, locomotives and cars for a freighting business, will exceed nine millions of dollars, being a sum much greater than the first cost of both the Erie and the Champlain Canals. This great cost has been incurred by Massachusetts, in running a railway at right angles, with a succession of rocky ridges, crossing numerous streams to tap our Western trade, during the suspension of navigation on the Hudson.

It cannot be supposed for a moment, that the enterprising and intelligent citizens of Boston have not calculated the cost and the chances of success of this great undertaking.

The application of art, in the construction of an iron avenue, to the outlet of the Erie Canal from Boston, will do as much for that city, as the Erie Canal did for the city of New York, after its completion. Not content with making her own railways, at an expense of \$15,000,000, Massachusetts has come into this State and purchased from Albany her right to make a railway to West Stockbridge. She has done more; she has furnished the main part of the capital (90 cents on the dollar,) to make the 78 miles between Auburn and Rochester, which stock went a begging in Wall street when offered to our capitalists. It is now worth 110 per cent. and will soon be up to 130; thus giving our enterprising neighbors a sufficient profit to help us out, as they are now doing, with the remaining link of some 38 miles of railroad between Attica and Buffalo.

It is true that our capitalists have suffered by experimental investments, in short and bad managed railways. This, however, should not prevent them investigating railways, judiciously constructed, between desirable points, for general transportation. It will be perceived that it has cost in Massachusetts \$1,732,553, to earn. ....	\$3,634,930
The receipts from freight and the mails was	1,248,874
From passengers. ....	2,386,106

The expenses are 47 per cent. of the receipts, and the freight as compared with the receipts from passengers as one to two. On the Boston and Lowell Railroad the receipts from freight nearly equals that of the passengers. The average nett income for four years as observed on all the roads, is equal to 7½ per cent. with a steady increase in the item of freight and diminution of expenses in their management.

It is ascertained that there are 3,300 miles of railway completed and now in use in the United States, on which about \$100,000,000 have been expended. These several roads now yield on an average, according to returns made by the Cavalier de Gersner, a nett income of 5½ per cent. There are 1700 miles of railway in the course of construction, that will be constructed, and 2000 miles in addition, that has been projected and surveyed.



With this favorable view of railways in Massachusetts, is it possible that we shall longer attempt to tax private enterprise in this State, with canal tolls on the merchandise transported on our railways parallel to the Erie Canal, during the winter, and forbid them entirely carrying freight during the summer months, even with the burthen of canal tolls, to help enlarge it? The transportation of a barrel of flour from Buffalo to New York is 75 to 87½ cents, and up

merchandise \$1 25 per hundred. Are our forwarders afraid of railways competing with them at these prices? If so, it is high time we stopped wasting the credit of the State, on canals, and prepare ourselves for a new departure, by adopting the late improvements in the construction of the Locomotive and Railways, in a permanent manner, to be in use the entire year, instead of about half that period, for the entire lines to Buffalo.  
J. E. B.

Tabular Statement

Of the cost, receipts, income and dividends on the railways in use in Massachusetts in 1840,—compiled by Jos. E. Bloomfield, from the annual reports to the Legislature, January, 1841, made by the several corporations under oath. Also, a comparative view of the Boston and Lowell—also the Providence and the Worcester Railways for the years 1837, 1838, 1839, 1840:

Names of Road.	Years.	Length.	Expended in the cost of the Road.	Cost of road per mile.	Repairs of Road per mile per annum.	Repairs of engines and cars per an.	Total expenses.
Boston and Lowell .....	1837	....	....	....	\$546	\$650	78,508
ditto.....	1838	....	....	....	611	421	75,597
ditto.....	1839	....	....	....	731	636	92,151
ditto.....	1840	25¾	\$1,789,242	\$63,000	816	561	91,400
Boston and Providence.....	1837	....	....	....	285	726	156,238
ditto.....	1838	....	....	....	411	486	120,044
ditto.....	1839	....	....	....	209	474	93,562
ditto.....	1840	41	1,782,000	43,460	331	409	143,127
Boston and Worcester .....	1837	....	....	....	208	450	94,762
ditto.....	1838	....	....	....	281	349	85,572
ditto.....	1839	....	....	....	405	564	126,384
ditto.....	1841	44½	1,934,981	43,300	890	374	140,441
Lowell and Nashua.....	1839	....	....	....	272	156	29,885
ditto.....	1840	14½	386,703	2,540	243	332	52,532
Eastern—incomplete .....	1839	....	....	....	163	214	53,174
ditto.....	1840	60	1,864,190	31,000	316	516	85,793
Taunton Branch .....	1839	....	....	....	127	287	40,741
ditto.....	1840	11	250,000	22,791	237	156	44,671
New Bedford and Taunton .....	1840	11½	387,300	34,459	233	120	18,020
Norwich and Worcester.....	1840	58½	1,777,471	30,380	....	....	52,503
Western.....	1840	117	5,235,025	44,470	161	119	62,071
		383¾	\$15,329,192	\$40,024	\$384	\$438	\$1,732,353

Table Continued.

Name of Road.	Total receipts.	From passengers.	Freight and the mails.	Dividend per annum.	Remarks.
Boston and Lowell .....	\$180,770	\$117,643	\$63,137	7 per ct.	Double track with a large freighting business.
ditto.....	191,780	109,083	82,697	7	
ditto.....	241,220	135,037	106,131	8	
ditto.....	231,575	127,008	104,567	8	
Boston and Providence.....	250,832	193,469	57,413	8	Single track with turnouts.
ditto.....	265,114	196,974	68,140	8	
ditto.....	313,907	234,237	74,670	8	
ditto.....	202,601	134,651	64,947	7	
Boston and Worcester .....	210,047	123,331	86,716	7½	In part a double track.
ditto.....	212,324	112,032	100,292	7½	
ditto.....	231,807	122,496	109,311	6	
ditto.....	267,547	170,855	96,692	6	
Lowell and Nashua.....	55,053	36,647	18,406	6½	Single track. Incomplete.
ditto.....	82,638	35,794	46,849	6½	
Eastern—incomplete.....	125,623	113,068	12,564	7	
ditto.....	183,296	164,971	18,326	5	
Taunton Branch .....	58,018	40,910	17,108	5	Just finished. Do. Nearly finished.
ditto.....	75,477	44,900	30,577	7	
New Bedford and Taunton .....	26,437	23,250	3,186	6	
Norwich and Worcester.....	116,517	78,900	37,617	....	
Western .....	112,347	70,821	41,826	....	
	\$3,634,980	\$2,386,106	\$1,248,871	7½ ave.	

**Review of the Weather, etc., for November, 1841.**

There was all kinds of weather during the month just closed, from summer's heat to winter's cold. On the morning of the 1st, the fog was so dense, that an object was scarcely perceptible at a distance of twenty feet. About 10 o'clock, the sun began to penetrate through it, and to compel this unpleasant visiter to flee before its scorching rays, when the mercury run up to summer heat. On the morning of the 2d, some rain fell, and it rained again on the 4th, 8th, 10th, 12th, 14th, 19th, 20th, 22d, 25th and 26th.

For the first time this season, in this city, a few flakes of snow descended on the morning of the 16th, to admonish us that winter was approaching. But on the morning of the 19th, about one inch fell, which was immediately followed by a violent N. E. rain storm. During the evening of the 28th, and succeeding morning, from eight to ten inches of snow fell. This was a real old fashioned snow storm, which produced excellent sleighing, with mercury down to 20, on the morning of the 30th.

The quantity of rain which fell during the month, was  $4\frac{1}{2}$  inches. That which fell during the corresponding month of last year, was  $2\frac{1}{2}$  inches.

The medium, or average state of the atmosphere during the whole month, was 42, viz: at sunrise, the average was 38; at 2 o'clock,  $46\frac{1}{2}$ ; and at 10 P. M. 41. That of the corresponding month of last year, was 43.

The 23d and 24th, were two as splendid days as any month of November ever produced, but they were followed on the 25th by a cold easterly rain storm.

*Early snow in the West.*—A newspaper printed at La-porte (Indiana) says, "that snow fell there to the depth of several inches, on the 27th of October; and that sixteen miles from there, it fell to the depth of two feet; and in Michigan, over three feet."

In our Review of the month of October, we recorded snow as having fallen in Brunswick, (N. J.) and in different places in the States of New York, Connecticut, New Hampshire, and Vermont, as early as the 3d of October; and again in the interior of New York and Pennsylvania, on the 8th of October. On the 4th of November, snow fell at Utica, and several other places in New York State, to the depth of six inches. On the 7th and 8th of November, it snowed, hailed, and rained in various parts of New England. A Rochester, (N. Y.) paper, of November 15th, says, "that sleet and snow throughout last night and this morning have given a dreary aspect to everything around us.—Should this weather continue our canals will soon be closed. The steamboat McDonough, which plies on Lake Champlain, was wrecked on the 15th of November, in a violent storm. A canal boat which she had in tow, sunk, and all her freight of merchandise was lost. The country north of Whitehall is almost impassable on account of the quantity of snow. And so tempestuous was the weather on the 13th, on Lake Erie, that all the steamboats and vessels which left Buffalo for the West, had to put back."

By recent arrivals from Europe, accounts were received of the failure of the crop of potatoes in Ireland, in consequence of which the greatest suffering and distress prevailed. A late English paper, says, "that an unprecedented amount of distress exists at the present time among the working classes in various parts of the kingdom, particularly in Manchester, Birmingham, Leeds, and many other large towns, the amount of suffering and distress is appalling." Both letters and newspapers say that very considerable foreign supplies of flour, wheat, &c. will be required before another harvest.

In consequence of the wet season in England, there was very little clover seed saved; therefore there will be a great demand for this article from abroad, says an English paper.

A Stockholm, (Sweden) paper of October 19, says, "His Majesty has learned with great regret, that the harvest of wheat and rye has almost entirely failed, therefore he is resolved to reduce the import duty, &c."

On the night of the 5th of October, an earthquake occurred at Constantinople, by which a great number of persons were buried beneath, the falling buildings.

The Boston Transcript of the 18th of November, says: "There was a most brilliant display of the Aurora Borealis last night, (the 17th.) The whole heavens seemed to be illuminated. Between 11 and 12 o'clock, rays of light were constantly shooting up from every point of the compass, converging till they met at a focus in the zenith. It was the most splendid show of the kind we ever saw." The Albany Evening Journal, also gives a glowing description of its brilliancy. And a letter from Bennington, (Vermont) says, "it far exceeded in splendor and magnificence, anything ever seen there. The Green Mountains being covered with snow, and the night clear and cold, heightened the effect beyond description." Generally, our last movement before retiring, is to raise one of our northern windows, and make our last meteorological observation for the day, which we did on that evening, about 11 o'clock, but we discovered no uncommon brilliancy smiling from the heavens upon our city of brotherly love. Perhaps the brilliant favors of that evening did not extend so far west.

*A Splendid Meteor*—The New Haven Palladium says, that a splendid meteoric ball was seen in that city, about 8 o'clock on Wednesday evening. It was superior in brilliancy to the planet Venus, and as it sailed across the sky, resembled a glowing mass of burning metal. During its whole track, it threw out brilliant scintillations, of a beautiful blue color, slightly tinged with red.

A friend of ours, who had for a long time doubted the correctness of the theory, that a clearing up of the weather in the night, would be soon followed by falling weather again, kept a regular account for one year, in order to ascertain the fact, viz: from October 11, 1840, to October 11, 1841, and found his observations to support the direct theory. The result of the first six months was, clearing in the day, averaged 2 days and 14-22. Ditto in the night, 3 days and 7-18, averaging about fifty per cent. in favor of clearing in the night. The result of the next six months was not quite so favorable; but for the whole year, the average in the day was  $2\frac{3}{4}$  to  $3\frac{1}{2}$  in favor of clearing up in the night.

From our own observations, we have found it to be a positive fact, that when the weather clears, (whether by night or day) if the wind *backs in*, there will be falling weather again, within three days, and frequently much sooner; but when the wind goes round to the west with the sun, it continues fair for a much longer time.

C. P.

Philadelphia, Dec. 1, 1841.

[U. S. Gazette.

**METEOROLOGICAL SUMMARY,***For November, 1841.***THERMOMETER.**

Mean of maxima,	48°
" minima,	36°
" diurnal variations,	12°
Maximum,	72°
Minimum,	21°
Range,	51°
Mean temperature,	42°
" of dew point,	30.7°
" Barometer,	30.06 inches.
Clear,	13½ days.
Cloudy,	9 "
Rain,	4 "
Snow,	1 "
Fog,	½ "

Number of days on which rain or snow fell 14.

Winds—from W. to N. 13 days.

" N. to E.  $8\frac{1}{2}$  "" E. to S.  $\frac{1}{2}$  "

" S. to W. 3 "

Amount of rain, 4.22 inches.

Pennsylvania Hospital, Dec. 4th, 1841.

[North American.

Statement exhibiting the number of American and foreign vessels, with their tonnage and crews, which cleared from each district of the United States, during the year ending September 30, 1840.

CLEARED.

FROM	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Passamaquoddy, Maine..	88	10,860	483	....	1,039	68,803	3,931	....	1,127	79,663	4,414	....
Machias .....	11	1,401	66	2	....	....	....	....	11	1,401	66	2
Frenchman's Bay .....	3	485	16	5	....	....	....	....	3	485	16	5
Penobscot .....	21	2,056	99	....	....	....	....	....	21	2,056	99	....
Waldoborough .....	3	411	16	3	....	....	....	....	3	411	16	3
Wiscasset.....	17	2,484	165	3	....	....	....	....	17	2,484	105	3
Bath .....	106	17,435	783	....	1	54	4	....	107	17,489	787	....
Portland.....	171	32,774	1,160	207	84	5,739	334	35	255	38,513	1,494	242
Belfast ..	88	13,046	576	....	10	459	37	....	98	13,505	613	....
Kennebunk .....	7	1,172	48	1	....	....	....	....	7	1,172	48	1
Saco .....	4	410	22	1	....	....	....	....	4	410	22	1
Portsmouth, N. H.....	11	1,925	86	1	42	2,939	142	....	53	4,864	228	1
Vermont, Vermont.....	211	52,084	1,357	....	....	....	....	....	211	52,084	1,357	....
Newburyport, Mass. ....	23	3,780	213	10	15	993	61	5	38	4,773	274	15
Gloucester .....	14	2,276	111	1	36	1,418	209	....	50	3,694	320	1
Salem .....	87	16,425	847	39	6	484	29	....	93	16,909	876	39
Marblehead .....	13	1,301	75	....	....	....	....	....	13	1,301	75	....
Boston .....	660	128,973	5,929	....	693	52,620	3,463	....	1,353	181,593	9,392	....
Plymouth .....	6	720	69	....	1	70	6	....	7	790	75	....
Barnstable.....	6	405	24	....	....	....	....	....	6	405	24	....
Edgartown.....	24	8,003	495	58	....	....	....	....	24	8,003	495	58
Fall River .....	12	2,273	145	8	1	35	4	....	13	2,308	149	8
New Bedford .....	95	23,839	1,836	184	12	3,145	136	....	107	26,984	1,972	184
Newport, R. I.....	26	3,484	250	....	....	....	....	....	26	3,484	250	....
Bristol .....	39	7,784	509	....	....	....	....	....	39	7,784	509	....
Providence.....	36	6,168	295	....	....	....	....	....	36	6,168	295	....
New London, Con.....	47	9,580	804	57	....	....	....	....	47	9,580	804	57
New Haven.....	72	13,392	668	26	....	....	....	....	72	13,392	668	26
Middletown.....	7	1,150	58	3	2	168	9	1	9	1,318	67	4
Fairfield.....	....	....	....	....	3	311	15	....	3	311	15	....
Cape Vincent, N. Y.....	551	119,441	6,764	....	185	3,910	132	....	736	123,381	6,896	....
Champlain.....	243	57,036	2,156	1,608	....	....	....	....	243	57,036	2,156	1,608
Oswegatchie .....	167	17,357	1,939	211	199	48,094	3,578	1	366	65,451	5,517	212
Sackett's Harbor.....	145	20,724	1,746	155	45	10,270	678	42	190	30,994	2,424	197
Oswego .....	142	9,118	571	....	235	68,962	5,146	....	377	78,080	5,717	....
Genesec .....	70	5,450	342	19	203	22,361	1,475	19	273	27,811	1,817	38
Niagara .....	9	1,197	65	2	308	63,868	5,139	76	317	65,065	5,204	78
Sag Harbor.....	17	4,730	433	....	....	....	....	....	17	4,730	433	....
New York.....	1,067	283,149	12,367	....	503	125,619	6,052	....	1,570	408,768	18,419	....
Newark, N. J.....	4	725	34	....	....	....	....	....	4	725	34	....
Philadelphia, Pa.....	376	72,288	3,175	234	83	11,340	603	79	459	83,628	3,778	313
Baltimore, Md.....	352	67,718	3,202	....	109	25,546	1,217	....	461	93,264	4,419	....
Georgetown, D. C.....	4	668	23	8	....	....	....	....	4	668	23	8
Alexandria.....	78	12,147	530	8	20	2,689	145	8	98	14,836	725	16
Norfolk, Va .....	119	17,341	833	4	27	3,621	243	....	146	20,962	1,076	4
Petersburg .....	24	8,255	314	....	1	274	10	....	25	8,529	324	....
Richmond .....	71	22,221	906	7	9	2,323	100	....	80	24,544	1,000	7
Tappahannock .....	9	823	42	....	....	....	....	....	9	823	42	....
Wilmington, N. C.....	168	25,713	1,191	....	31	3,029	247	....	199	28,742	1,438	....
Newbern .....	48	5,219	295	....	....	....	....	....	48	5,219	295	....
Washington .....	31	3,225	158	....	....	....	....	....	31	3,225	158	....
Plymouth.....	12	1,250	68	2	....	....	....	....	12	1,250	68	2
Camden .....	18	1,727	111	....	....	....	....	....	18	1,727	111	....
Beaufort.....	2	191	9	....	....	....	....	....	2	191	9	....
Ocracoke .....	5	805	36	....	....	....	....	....	5	805	36	....
Charleston, S. C.....	300	79,817	3,244	132	84	25,465	1,000	146	384	105,282	4,244	278
Georgetown.....	22	2,273	108	....	....	....	....	....	22	2,273	108	....
Savannah, Ga.....	133	42,802	1,673	....	86	43,227	1,555	....	219	86,029	3,198	....
Brunswick.....	8	1,274	57	4	4	738	39	....	12	2,012	96	4
Key West, Florida.....	201	9,967	967	....	20	1,257	127	....	221	11,224	1,094	....
Pensacola.....	11	1,196	63	....	1	88	9	....	12	1,284	72	....
Mobile, Alabama .....	251	94,551	3,531	....	57	23,552	1,001	....	308	118,103	4,532	....
Missi-sippi, Louisiana...	850	277,021	10,658	....	265	73,350	3,572	....	1,115	350,371	14,230	....
Cuyahoga, Ohio.....	96	8,423	399	....	44	3,265	151	....	140	11,688	550	....
Sandusky.....	3	285	11	....	....	....	....	....	3	285	11	....
Detroit, Michigan.....	63	4,786	235	....	119	6,370	317	....	187	11,156	552	....
Total.....	7,593	1,647,009	75,445	3,003	4,583	706,486	40,886	412	12,166	2,353,495	116,331	3,415

*Statement exhibiting the number of American and foreign vessels, with their tonnage and crews, which entered into each district of the United States, during the year ending on the 30th of September, 1840.*

## ENTERED.

INTO	AMERICAN.				FOREIGN.				Total American and Foreign.			
	No.	Tons.	Crews.		No.	Tons.	Crews.		No.	Tons.	Crews.	
			Men.	Boys.			Men.	Boys.			Men.	Boys.
Passamaquoddy, Maine..	123	12,236	677	....	1,038	68,539	3,919	...	1,161	80,775	4,596	....
Penobscot .....	11	1,306	52	....	1	46	4	...	12	1,352	56	....
Waldoborough .....	4	1,056	31	1	....	....	....	...	4	1,056	31	1
Wiscasset .....	4	1,951	65	....	....	....	....	...	4	1,951	65	....
Bath .....	46	13,030	473	....	1	54	4	...	47	13,084	477	....
Portland .....	96	18,924	665	121	82	5,530	327	38	178	24,454	992	159
Belfast .....	26	3,749	161	....	10	459	37	...	36	4,208	198	....
Kennebunk .....	4	673	29	....	....	....	....	...	4	673	29	....
Saco .....	4	594	28	....	....	....	....	...	4	594	28	....
Portsmouth, N. H.....	34	9,752	356	13	43	3,005	144	...	77	12,757	500	13
Vermont, Vermont.....	211	52,084	1,357	....	....	....	....	...	211	52,084	1,357	....
Newburyport, Mass. ....	21	4,168	176	11	16	1,028	61	8	37	5,196	237	19
Gloucester .....	13	2,485	118	....	35	1,392	206	...	48	3,877	324	....
Salem .....	91	18,104	908	57	5	356	21	...	96	18,460	929	57
Marblehead .....	1	89	5	....	1	90	4	...	2	179	0	....
Boston .....	864	191,752	7,825	423	643	53,581	3,402	308	1,507	245,333	11,227	731
Plymouth.....	14	2,237	114	....	1	70	6	...	15	2,307	120	....
Barnstable .....	12	1,197	56	....	....	....	....	...	12	1,197	56	....
Edgartown.....	77	16,782	957	2	....	....	....	...	77	16,782	957	2
Fall River .....	35	5,821	251	2	2	427	23	...	37	6,248	274	2
New Bedford .....	73	21,871	1,619	3	....	....	....	...	73	21,871	1,619	3
Newport, R. I. ....	22	3,732	225	....	2	535	25	...	24	4,267	250	....
Bristol .....	27	5,869	407	....	....	....	....	...	27	5,869	407	....
Providence .....	59	9,261	432	....	....	....	....	...	59	9,261	432	....
New London, Con.....	37	9,378	607	13	....	....	....	...	37	9,378	607	13
New Haven.....	63	11,827	586	16	....	....	....	...	63	11,827	586	16
Middletown.....	8	1,365	67	....	3	273	17	1	11	1,638	84	1
Fairfield.....	1	262	30	....	3	311	15	...	4	573	45	....
Cape Vincent, N. Y.....	551	119,441	6,764	....	185	3,940	132	...	736	123,381	6,896	....
Champlain.....	243	57,036	2,156	1,608	....	....	....	...	243	57,036	2,156	1,608
Oswegatchie .....	172	18,137	2,058	203	199	48,094	3,578	1	371	66,231	5,636	204
Sackett's Harbor.....	162	23,549	1,951	167	44	10,270	662	41	206	33,819	2,613	208
Oswego .....	202	16,447	1,038	....	256	70,750	5,358	...	458	87,197	6,396	....
Genesee .....	52	4,107	252	14	209	22,772	1,575	28	261	26,879	1,827	42
Niagara .....	11	1,377	77	2	303	63,194	5,067	68	314	64,571	5,144	70
Sag Harbor .....	7	1,945	167	....	....	....	....	...	7	1,945	167	....
New York .....	1,443	417,443	15,774	....	512	128,488	5,842	...	1,955	545,931	21,616	....
Newark, N. J. ....	3	516	19	1	....	....	....	...	3	516	19	1
Philadelphia, Pa. ....	353	75,479	3,248	246	91	12,223	667	92	444	87,702	3,915	338
Baltimore, Md. ....	309	58,237	2,592	....	101	23,903	1,135	...	410	82,140	3,727	....
Georgetown, D. C.....	2	583	18	2	....	....	....	...	2	583	18	2
Alexandria.....	42	7,186	338	4	19	2,513	139	4	61	9,699	477	8
Norfolk, Va. ....	82	13,716	634	4	32	5,335	315	...	114	19,051	949	4
Petersburg .....	27	7,527	270	....	1	274	10	...	28	7,801	280	....
Richmond .....	25	7,385	308	....	1	318	14	...	26	7,703	322	....
Tappahannock .....	2	224	11	....	....	....	....	...	2	224	11	....
Wilmington, N. C. ....	89	13,517	628	....	29	2,803	234	...	118	16,320	862	....
Newbern .....	43	4,708	266	....	....	....	....	...	43	4,708	266	....
Washington .....	17	1,844	90	2	....	....	....	...	17	1,844	90	2
Plymouth .....	13	1,346	74	1	....	....	....	...	13	1,346	74	1
Camden .....	6	1,633	104	....	....	....	....	...	6	1,633	104	....
Beaufort.....	3	342	19	2	....	....	....	...	3	342	19	2
Charleston, S. C.....	172	36,227	1,573	73	80	23,950	951	157	252	60,177	2,524	230
Georgetown.....	5	468	23	....	....	....	....	...	5	468	23	....
Savannah, Georgia.....	83	22,668	907	....	84	40,983	1,465	...	167	63,651	2,372	....
Brunswick.....	4	536	24	2	4	738	41	...	8	1,274	65	2
Key West, Florida.....	188	9,029	928	....	26	1,780	185	...	214	10,809	1,113	....
Pensacola.....	4	477	26	....	1	88	9	...	5	565	35	....
Mobile, Alabama .....	146	41,208	1,643	....	61	25,564	1,044	...	207	66,772	2,687	....
Mississippi, Louisiana ...	672	182,292	7,342	....	252	73,185	3,579	...	924	255,477	10,921	....
Cuyahoga, Ohio.....	87	7,883	371	....	43	3,192	148	...	130	11,075	519	....
Sandusky.....	3	285	11	....	....	....	....	...	3	285	11	....
Detroit, Michigan.....	7	593	30	....	152	12,310	615	...	159	12,903	645	....
Total .....	7,211	1,576,946	70,011	2,993	4,571	712,363	40,980	746	11,782	2,289,309	110,991	3,739



### Settlement on the Aroostook.

In 1831 the Aroostook road was surveyed through an unbroken wilderness, and the first settlement was made upon it in 1834. No part of the road was turnpiked until 1836, and it is now completed for the distance of sixty-four miles from the military road to the Aroostook, and nearly every lot upon it taken up by settlers; lateral roads are made in many places, and not less than fifteen hundred inhabitants settled upon the road. On one half township purchased by Bishop Fenwick are many settlers, most of them from Boston, and all of whom are getting a very comfortable living in their new home, nearly every family having a surplus of productions to dispose of, for which they find a good market at their own doors. Upon this half township is erected a large two story wooden college, with one wing completed and the other in progress. There is also a Catholic chapel erected and partly finished. The settlers on this half township have nearly all paid for their lots, and are all industrious and thriving. The whole population is about 250, and we learn that it is the intention of their principal men to purchase still more land for future settlements. The town of Patten upon the road was first settled in 1834, when the first tree was felled within its limits. It now has three stores, a saw and grist mill, and tannery, potash and other machinery, with mechanics' shops, two taverns, and six barns that cost one thousand dollars each, besides other barns and the buildings of the inhabitants. The settlers in this town have a surplus of hay and grain the present year to the amount of from seven to eight thousand dollars, for all which they will find a ready market. One man in Patten raised the present season two thousand bushels of grain, and even more than that was raised by another man in the same town last year. We had sent us, a few days since, an enormous blood beet raised in Patten, by Mr. Taylor, which weighed 12 pounds, showing that the soil there is good for root crops as well as grain, for which the whole Aroostook country is famous.

The whole amount of surplus productions which the settlers upon the Aroostook road have for sale the present season will not fall short of \$15,000.

From two to three hundred settlers, many of them industrious smart young men, from the good farming county of Kennebec, have purchased lands, and commenced operations the present year. The State offers liberal encouragement to settlers by the low price of land, and an opportunity to improve the roads by the payment of a portion of the amount upon them in labor.

The military stations at Fort Fairfield and Fish River, with the travel which they cause upon the road; the lumbering business—the facilities for purchasing land cheap, and paying mostly in labor, with the superior quality of the soil, all combined, make the Aroostook country one of the most desirable places for settlement, for the young men of New England to commence life, or those more advanced to mend broken fortunes, and provide support for a family, that can probably be found, taken health and all things into the account, in the world.—*Bangor Whig*.

### Another Revolutionary Hero Gone.

The Geneva (N. Y.) Courier, announces the death of Josiah Strong, a soldier of the revolution, who died at Geneva on the 14th ultimo, at the age of 83 years. He took part in the invasion of Canada, in 1776, was one of the army which crossed the Delaware with Washington, was at the celebrated battle near Princeton when Washington took 300 prisoners, and was at the battles of Brandywine and Germantown. He was frequently wounded, and at the contest of Germantown lay upon the battle ground for twenty-four hours, until by Washington's orders, when found to be alive, he was removed to the head quarters of his general.

The Gloucester, (Mass.) Telegraph says:—"We learn by a letter received in town last evening that his Excellency Thomas Buchanan, Governor of Liberia, died at Bassa, September 3d, very much lamented.

### A Lake Town.

The Milwaukie Journal contains the following outline of the present prosperous condition of the town of Milwaukie:

Wilwaukie is now advancing with steady and great strides towards her proud destiny. Wealth, business, capital—the capital of labor, industry, and enterprise—and all of the materials of prosperity are flowing in upon her from a thousand sources. She is able to render a good account of herself for the last year. During that time, her growth has been greater than during the whole of the five former years. She now numbers probably about 2,000 inhabitants, being an increase of 800 since the census of 1840. Of this population, about 150 are Irish, 250 Prussians and Germans and of neighboring nations, and 1,800 Yankees.

We can count now, within the limits of our town, more than 400 buildings, about 30 of which are large warehouses or storehouses; 19 large and commodious wharves; a large number of mechanic shops, and one steam furnace; three churches and a court-house; four large hotels; three newspapers; one land office, selling 10,000 acres of land per month for actual settlement; five schooners and sloops, employed chiefly in carrying lumber; one harbor steamboat, not to mention the noble steamer Milwaukie, at the mouth of our river, of which we have the nine-tenths in the law—the possession; one bridge, which cost \$4,000; two ferries, at each of which a thousand people sometimes pass and re-pass in a day; nineteen lawyers; six doctors, and about thirty merchants, most of whom advertise in the papers, and by that means do a good business.

It is an infallible sign of the healthy condition of the town that the lawyers and doctors, with the loafers or drones, are about all who have to look on and grumble.

In the year past, one hundred buildings have been commenced, most of which are completed. Among them we have been pleased to observe one large brick dwelling house, and two elegant blocks of brick stores. Preparations are being made to erect two other blocks of brick buildings early in the spring.

By next June or July, there will be ready for use on the bank of the river in the village, a water-power sufficient to grind all the wheat raised within a hundred miles of Lake Michigan, and to do all the manufacturing business of the same Territory. Arrangements are made to have a noble flouring mill, with six run of stones, erected the ensuing season and put in operation. Our business street presents a scene of animated bustle and industry, being alive with men, teams, drays, loaded wagons. Our stores are well filled with new supplies of goods, in extent and variety far greater than in any former season. Our merchants are unusually prosperous, and maintain a credit at the East. We may add that we learn of many men of capital moving hither to take up their abode with us. Give to Milwaukie a harbor, and her various means of business and trade would be double in one season.

### Treasury Notes.

Treasury Department, }  
December 3, 1841. }

Amount of Treasury Notes issued under the provisions of the acts of Congress of 1837, 1838, 1839, 1840,

\$26,681,337 53

Redeemed of that amount ..... 25,103,571 30

Leaving outstanding the sum of..... \$1,577,766 23

Issued under the act of Feb. 1841, viz.

Prior to the 4th of March... \$673,681 32

Since the 4th of March..... 5,423,300 97

Making ..... 6,096,982 29

Returned of that issue..... 445,890 63

Leaving outstanding, ----- 5,651,091 61

Aggregate outstanding on the 1st instant... \$7,228,857 84

W. FORWARD,  
Secretary of the Treasury.

(Tables Continued from page 335.)

**Comparative Views of the Census of 1840.**

Increase of population 1830 to 1840.

**TABLE I.**

Showing the population by census of 1830 and 1840—the numerical increase and the ratio per cent. increase in ten years, in each State and Territory.

STATES.	Total popu- lation in 1830.	Total popu- lation in 1840.	Numerical increase since 1830.	Ratio pr. ct. increase in ten years.	STATES.	Total popu- lation in 1830.	Total popu- lation in 1840.	Numerical increase since 1830.	Rate pr. ct. increase in ten years.
Maine.....	399,455	501,793	102,338	25.619	Tennessee....	681,904	829,210	147,306	21.602
N. Hampshire..	269,328	284,574	15,246	5.660	Kentucky.....	687,917	779,828	91,911	13.361
Massachusetts..	610,408	737,699	127,291	20.853	Ohio.....	937,903	1,519,467	581,564	62.006
R. Island.....	97,199	108,830	11,631	11.966	Indiana.....	343,031	685,866	342,835	99.942
Connecticut....	297,675	309,978	12,303	4.133	Illinois.....	157,445	476,183	318,738	202.444
Vermont.....	280,652	291,948	11,296	4.025	Missouri.....	140,455	383,702	243,247	173.184
N. York.....	1,918,608	2,428,921	510,313	26.598	Michigan.....	31,639	212,267	180,628	570.900
N. Jersey.....	320,823	373,306	52,483	16.357	Arkansas.....	30,388	97,574	67,186	221.093
Pennsylvania..	1,348,233	1,724,033	375,800	27.873	Florida.....	34,730	54,477	19,747	56.858
Delaware.....	76,748	78,085	1,337	1.742	D. of Columbia	39,834	43,712	3,878	9.735
Maryland.....	447,040	469,232	22,192	4.964	Wisconsin....	....	30,945	30,945	....
Virginia.....	1,211,405	1,239,797	28,392	2.344	Iowa.....	....	43,112	43,112	....
N. Carolina....	737,987	753,419	15,432	2.092		12,860,702	17,062,566	4,201,864	32.672
S. Carolina....	581,185	594,398	13,213	2.273					
Georgia.....	516,823	691,392	174,569	33.777	Navy.....	5,318	6,100	782	14.700
Alabama.....	309,527	590,756	281,229	90.857					
Mississippi....	136,621	375,651	239,030	174.958	Total.....	12,866,020	17,068,666	4,202,646	32.664
Louisiana.....	215,739	352,411	136,672	63.350					

**TABLE II.**

Showing the sectional increase.

N. E. States.	1830.	1840.	Numerical increase.	Increase pr. ct. in 10 ys.	Western States.	1830.	1840.	Numerical increase.	Increase pr. ct. in 10 ys.
Maine.....	399,455	501,793	102,338	25.619	Ohio.....	937,903	1,519,467	581,564	62.006
N. Hampshire...	269,328	284,574	15,246	5.660	Kentucky.....	687,917	779,828	91,911	13.361
Massachusetts...	610,408	737,699	127,291	20.853	Tennessee.....	681,904	829,210	147,306	21.602
R. Island.....	97,199	108,830	11,631	11.966	Indiana.....	343,031	685,866	342,835	99.942
Connecticut.....	297,675	309,978	12,303	4.133	Illinois.....	157,445	476,183	318,738	202.444
Vermont.....	280,652	291,948	11,296	4.025	Michigan.....	31,639	212,267	180,628	570.900
	1,954,717	2,234,822	280,105	14.329	Missouri.....	140,455	383,702	243,247	173.184
Middle States.					Arkansas.....	30,388	97,574	67,186	221.093
N. York.....	1,918,608	2,428,921	510,313	26.598	Wisconsin.....	....	30,945	30,945	....
N. Jersey.....	320,823	373,306	52,483	16.357	Iowa.....	....	43,112	43,112	....
Pennsylvania....	1,348,233	1,724,033	375,800	27.873		3,010,682	5,058,154	2,047,472	68.006
Delaware.....	76,748	78,085	1,337	1.742	Slave-holding States.				
	3,664,412	4,604,345	939,933	25.650	Maryland.....	447,040	469,232	22,192	4.964
Southern States.					Virginia.....	1,211,405	1,239,797	28,392	2.344
Maryland.....	447,040	469,232	22,192	4.964	N. Carolina....	737,987	753,419	15,432	2.092
Virginia.....	1,211,405	1,239,797	28,392	2.344	S. Carolina....	581,185	594,398	13,213	2.273
N. Carolina....	737,987	753,419	15,432	2.092	Georgia.....	516,823	691,392	174,569	33.777
S. Carolina....	581,185	594,398	13,213	2.273	Alabama.....	309,527	590,756	281,229	90.857
Georgia.....	516,823	691,392	174,569	33.777	Mississippi....	136,621	375,651	239,030	174.958
Alabama.....	309,527	590,756	281,229	90.857	Louisiana.....	215,739	352,411	136,672	63.350
Mississippi....	136,621	375,651	239,030	174.958	Tennessee.....	681,904	829,210	147,306	21.602
Louisiana.....	215,739	352,411	136,672	63.350	Kentucky.....	687,917	779,828	91,911	13.361
D. of Columbia..	39,834	43,712	3,878	9.735	Missouri.....	140,455	383,702	243,247	173.184
Florida.....	34,730	54,477	19,747	56.858	Arkansas.....	30,388	97,574	67,186	221.093
	4,230,891	5,165,245	934,354	22.264	Florida.....	34,730	54,477	19,747	56.858
					D. of Columbia.	39,834	43,712	3,878	9.734
						5,771,555	7,255,559	1,484,004	25.712

Remarks.

Probably no inquiry connected with the Census is of more importance, especially, in a political view, than that which relates to the increase of population in the different States and sections of the Union. In the preceding tables we have designed to show—first, the numerical increase, and the ratio per cent. of increase between 1830 and 1840, in each State—and secondly, the same views of increase, in the New England, Middle, Southern, and Western States—and also in the Slave-holding States—usually so termed.

According to the Census of 1830, the population of the United States was ascertained to be (without the Navy).....12,860,702  
In 1840, it was.....17,062,566

Being a numerical increase of souls..... 4,201,864  
Or 32.672 per cent. increase in 10 years.  
In the Navy in 1830, there were .....5,318  
And in 1840.....6,100

Being a numerical increase of..... 782  
Or 14.700 per cent. increase in the Navy in 10 years.

If the persons in the Navy be added, the population at the Census of 1830, was.....12,866,020  
And in 1840, was.....17,068,666

The numerical increase would be . .... 4,202,646  
And the increase per cent. of the United States  
in 10 years..... 32.664

It will be seen by reference to the tables, that the increase in the different States, in the 10 years, varies from 570.900 per cent. in Michigan, to 1.742 per cent. in Delaware.

The tide of migration during the past 10 years appears to have been flowing principally to Michigan, which has increased 570.900 per cent. to Arkansas 221.093 per cent. Illinois, 202.444 per cent. Mississippi, 174.958 per cent. Missouri, 173.184 per cent. Indiana, 99.942 per cent. Alabama, 90.857 per cent. Louisiana, 63.350 per cent. Ohio, 62.006 per cent. and Florida, 56.858 per cent. Many of the older States appear to have gained but little—having probably contributed largely to the increase of the newer States.

Maine and Massachusetts, of the New England States appear to have increased more rapidly than the rest, having had probably some additions from without, while the remaining States exhibit more nearly the natural increase.

Of the Southern States, Virginia, North Carolina, and South Carolina, only show an increase of between 2 and 3 per cent.

Of the Middle States, Pennsylvania, shows an increase of 27.873 per cent. and New York, 26.598 per cent.—the former having added to her population 375,800 souls and the latter 510,313.

The increase of the New England States, collectively, is..... 14.329 per cent.  
Do do Middle ..... 25.650 “  
Do do Southern ..... 22.264 “  
Do do Western ..... 68.006 “  
Do do Slave-holding ..... 25.712 “

The New England and Middle States in 1830 contained 5,619,129 inhabitants—in 1840, 6,839,167, being an increase of 1,220,038, or 21.712 per cent.

The Southern and Western States in 1830 had a population of 7,241,573—in 1840, 10,223,399, being an increase of 2,981,826, or 41.176 per cent.

The Southern and Western States, therefore, contain 3,384,234 inhabitants more than the New England and Middle States—this excess being only 545,595 less than the entire population of the Union in 1790.

The increase of the United States from the first Census, in 1790, has been 13,138,839, or 334.336 per cent. in 50 years.

In a future No. we shall furnish some further views on the increase of the States.

We have lately occupied considerable space with the messages of the Governors of those States in which the Legislatures have convened—all we have seen, have now been published. A London subscriber, writes us that they are looked for in England, with great anxiety, as giving the most authentic information relative to the States.

Notwithstanding we forward our paper to the Secretaries of all the States, with a view of receiving from them their public documents, we have to regret, that, with some few exceptions, we receive no documents from them, or are sometimes burdened with a heavy expense of postage, contrary to our proposition of exchange. As it is our wish to render the Register a medium for furnishing correct information respecting the States, on their principal points of policy, and as our paper is taken by most of the Ministers of Foreign Nations, and is sent to their respective governments, we hope the Secretaries will feel the importance of transmitting public documents, free of expense to us;—probably the interests of their own States will be thereby promoted—while at the same time, an acquaintance is obtained of the condition and improvements of other States.

In our next and in some future numbers, we hope to be able to present the message of the President of the United States, and reports of the departments, so that the whole may appear in our present volume, which will close on the 1st of January. Members of Congress will oblige us by an early transmission of documents.

We would take this occasion to say, that we shall be happy to open our new volume with a handsome addition to our present respectable and intelligent list of subscribers. To those who wish the work from the commencement, we say, that the four volumes already completed and bound can be had, to a certain extent (the number of the first volume on hand being small,) to which the fifth, or present volume will be added on the first of January. It becomes us not to speak of the value of the work, but judging from the frequent reference made to it, and the class of applicants for it, we flatter ourselves its importance is becoming more apparent.

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

EDITED BY SAMUEL HAZARD.

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## PRESIDENT'S MESSAGE.

*Message of the President of the United States, to the two Houses of Congress, at the commencement of the Second Session of the Twenty-Seventh Congress.*

To the Senate and House of Representatives  
of the United States :

In coming together, fellow-citizens, to enter again upon the discharge of the duties with which the people have charged us, severally, we find great occasion to rejoice in the general prosperity of the country. We are in the enjoyment of all the blessings of civil and religious liberty, with unexampled means of education, knowledge and improvement. Through the year which is now drawing to a close, peace has been in our borders, and plenty in our habitations; and although disease has visited some few portions of the land with distress and mortality, yet in general the health of the people has been preserved, and we are all called upon, by the highest obligations of duty, to renew our thanks and our devotion to the Heavenly Parent, who has continued to vouchsafe to us the eminent blessings which surround us, and who has so signally crowned the year with his goodness. If we find ourselves increasing, beyond example, in numbers, in strength, in wealth, in knowledge, in everything which promotes human and social happiness, let us ever remember our dependence, for all these, on the protection and merciful dispensations of Divine Providence.

*Alexander McLeod.*

Since your last adjournment, Alexander McLeod, a British subject, who was indicted for the murder of an American citizen, and whose case has been the subject of a correspondence heretofore communicated to you, has been acquitted by the verdict of an impartial and intelligent jury, and has, under the judgment of the Court, been regularly discharged.

Great Britain having made known to this Government that the expedition which was fitted out from Canada for the destruction of the steamboat *Caroline*, in the winter of 1837, and which resulted in the destruction of the said boat, and in the death of an American citizen, was undertaken by orders emanating from the authorities of the British Government in Canada, and demanding the discharge of McLeod upon the ground that, if engaged in that expedition, he did but fulfil the orders of his Government, has thus been answered in the only way in which she could be answered by a Government, the powers of which are distributed among its several departments by the fundamental law. Happily for the people of Great Britain, as well as those of the United States, the only mode by which an individual arraigned for a criminal offence, before the Courts of either, can obtain his discharge, is by the independent action of the judiciary, and by proceedings equally familiar to the Courts of both countries.

If in Great Britain a power exists in the crown to cause to be entered a *nolle prosequi* which is not the case with the Executive power of the United States upon a prosecution pending in a State Court; yet *there* no more than *here*, can the chief Executive power rescue a prisoner from custody without an order of the proper tribunal directing his discharge. The precise stage of the proceedings at which such

order may be made, is a matter of municipal regulation exclusively, and not to be complained of by any other Government. In cases of this kind, a Government becomes politically responsible only, when its tribunals of last resort are shown to have rendered unjust and injurious judgments in matters not doubtful. To the establishment and elucidation of this principle, no nation has lent its authority more efficiently than Great Britain. Alexander McLeod having his option either to prosecute a writ of error from the decision of the Supreme Court of New York, which had been rendered upon his application for a discharge, to the Supreme Court of the United States, or to submit his case to the decision of a jury, preferred the latter, deeming it the readiest mode of obtaining his liberation, and the result has fully sustained the wisdom of his choice. The manner in which the issue submitted was tried, will satisfy the English Government that the principles of justice will never fail to govern the enlightened decision of an American tribunal.—I cannot fail, however, to suggest to Congress the propriety, and, in some degree the necessity, of making such provisions by law, so far as they may constitutionally do so, for the removal at their commencement, and at the option of the party, of all such cases as may hereafter arise, and which may involve the faithful observance and execution of our international obligations, from the State to the Federal Judiciary. This Government, by our institutions, is charged with the maintenance of peace and the preservation of amicable relations with the nations of the earth, and ought to possess, without question, all the reasonable and proper means of maintaining the one and preserving the other. Whilst just confidence is felt in the Judiciary of the States, yet this Government ought to be competent in itself for the fulfilment of the high duties which have been devolved upon it under the organic law of the States themselves.

*Case of Grogan.*

In the month of September, a party of armed men from Upper Canada invaded the territory of the United States, and forcibly seized upon the person of one Grogan, and, under circumstances of great harshness, hurriedly carried him beyond the limits of the United States, and delivered him up to the authorities of Upper Canada. His immediate discharge was ordered by those authorities, upon the facts of the case being brought to their knowledge—a course of procedure which was to have been expected from a nation with whom we are at peace, and which was not more due to the rights of the United States, than to its own regard for justice. The correspondence which passed between the Department of State, and the British Envoy, Mr. Fox, and with the Governor of Vermont, as soon as the facts had been made known to this Department, are herewith communicated.

*Caroline Steamer.*

I regret that it is not in my power to make known to you an equally satisfactory conclusion in the case of the *Caroline* steamer, with the circumstances connected with the destruction of which, in December, 1837, by an armed force fitted out in the Province of Upper Canada, you are already made acquainted. No such atonement as was due for the public wrong done to the United States by this invasion of her territory, so wholly irreconcilable with her rights as an independent power, has yet been made. In the view taken by this Government, the inquiry whether the vessel was in the em-



ployment of those who were prosecuting an unauthorized war against that Province, or was engaged by the owner in the business of transporting passengers to and from Navy Island in hopes of private gain, which was most probably the case, in no degree alters the real question at issue between the two governments. This Government can never concede to any foreign government the power, except in a case of the most urgent and extreme necessity, of invading its territory, either to arrest the persons or destroy the property of those who may have violated the municipal laws of such foreign government, or have disregarded their obligations arising under the law of nations. The territory of the United States must be regarded as sacredly secure against all such invasions, until they shall voluntarily acknowledge their inability to acquit themselves of their duties to others. And in announcing this sentiment, I do but affirm a principle which no nation on earth would be more ready to vindicate, at all hazards, than the people and Government of Great Britain.

If, upon a full investigation of all the facts, it shall appear that the owner of the *Caroline* was governed by a hostile intent, or had made common cause with those who were in the occupancy of Navy Island, then so far as he is concerned, there can be no claim to indemnity for the destruction of his boat, which this Government would feel itself bound to prosecute—since he would have acted not only in derogation of the rights of Great Britain, but in clear violation of the laws of the United States; but that is a question which, however settled, in no manner involves the higher consideration of the violation of territorial sovereignty and jurisdiction. To recognize it as an admissible practice that each government, in its turn, upon any sudden and unauthorized out-break, which, on a frontier, the extent of which renders it impossible for either to have an efficient force on every mile of it, and which out-break, therefore, neither may be able to suppress in a day, may take vengeance into its own hands, and without even a remonstrance, and in the absence of any pressing or overruling necessity, may invade the territory of the other, would inevitably lead to results equally to be deplored by both. When border collisions come to receive the sanction, or to be made on the authority of either Government, general war must be the inevitable result.—While it is the ardent desire of the United States to cultivate the relations of peace with all nations, and to fulfil all the duties of good neighborhood towards those who possess territories adjoining their own, that very desire would lead them to deny the right of any foreign power to invade their boundary with an armed force. The correspondence between the two Governments on this subject, will, at a future day of your session, be submitted to your consideration; and in the meantime, I cannot but indulge the hope that the British Government will see the propriety of renouncing, as a rule of future action, the precedent which has been set in the affair at *Schlosser*.

#### *Right of Search.*

I herewith submit the correspondence which has recently taken place between the American Minister at the Court of St. James, Mr. Stevenson, and the Minister of Foreign Affairs of that Government, on the right claimed by that Government to visit and detain vessels sailing under the American flag and engaged in prosecuting lawful commerce in the African seas. Our commercial interests in that region have experienced considerable increase, and have become an object of much importance, and it is the duty of this Government to protect them against all improper and vexatious interruption. However desirous the United States may be for the suppression of the slave trade, they cannot consent to interpolations into the maritime code, at the mere will and pleasure of other governments. We deny the right of any such interpolation to any one, or all the nations of the Earth, without our consent. We claim to have a voice in all amendments or alterations of that code—and when we are given to understand, as in this instance, by a foreign government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our con-

sent, we must employ a language neither of equivocal import, nor susceptible of misconstruction. American citizens prosecuting a lawful commerce in the African seas, under the flag of their country, are not responsible for the abuse or unlawful use of that flag by others; nor can they rightfully on account of any such alleged abuses, be interrupted, molested or detained while on the ocean; and if thus molested and detained, while pursuing honest voyages, in the usual way, and violating no law themselves, they are unquestionably entitled to indemnity. This Government has manifested its repugnance to the slave trade, in a manner which cannot be misunderstood. By its fundamental law, it prescribed limits in point of time to its continuance; and against its own citizens, who might so far forget the rights of humanity as to engage in that wicked traffic, it has long since, by its municipal laws, denounced the most condign punishment. Many of the States composing this Union, had made appeals to the civilized world for its suppression, long before the moral sense of other nations had become shocked by the iniquities of the traffic. Whether this Government should now enter into treaties containing mutual stipulations upon this subject, is a question for its mature deliberation. Certain it is, that if the right to detain American ships on the high seas can be justified on the plea of a necessity for such detention, arising out of the existence of treaties between other nations, the same plea may be extended and enlarged by the new stipulations of new treaties, to which the United States may not be a party. This Government will not cease to urge upon that of Great Britain, full and ample remuneration for all losses, whether arising from detention or otherwise, to which American citizens have heretofore been, or may hereafter be subjected, by the exercise of rights which this Government cannot recognize as legitimate and proper. Nor will I indulge a doubt but that the sense of justice of Great Britain will constrain her to make retribution for any wrong, or loss, which any American citizen, engaged in the prosecution of lawful commerce, may have experienced at the hand of her cruisers, or other public authorities. This Government, at the same time, will relax no effort to prevent its citizens, if there be any so disposed, from prosecuting a traffic so revolting to the feelings of humanity. It seeks to do no more than to protect the fair and honest trader, from molestation and injury; but while the enterprising mariner, engaged in the pursuit of an honorable trade, is entitled to its protection, it will visit with condign punishment, others of an opposite character.

#### *African Slave Trade.*

I invite your attention to existing laws for the suppression of the African slave trade, and recommend all such alterations, as may give to them greater force and efficacy. That the American flag is grossly abused by the abandoned and profligate of other nations, is but too probable. Congress has, not long since, had this subject under its consideration, and its importance well justifies renewed and anxious attention.

#### *Rice Duties.*

I also communicate herewith the copy of a correspondence between Mr. Stevenson and Lord Palmerston, upon the subject so interesting to several of the Southern States, of the rice duties which resulted honorably to the justice of Great Britain, and advantageously to the United States.

#### *Question of the Boundary.*

At the opening of the last annual session, the President informed Congress of the progress which had then been made in negotiating a convention between this Government and that of England, with a view to the final settlement of the question of the boundary between the territorial limits of the two countries. I regret to say, that little further advancement of the object has been accomplished since last year; but this is owing to circumstances no way indicative of any abatement of the desire of both parties to hasten the negotiation to its conclusion, and to settle the question in dispute, as early as possible. In the course of the session, it

is my hope to be able to announce some further degree of progress, towards the accomplishment of this highly desirable end.

*Boundary separating Maine and New Hampshire.*

The commission appointed by this Government for the exploration and survey of the line of boundary separating the States of Maine and New Hampshire from the contiguous British Provinces is, it is believed, about to close its field labors, and is expected soon to report the results of its examinations to the Department of State. The report, when received, will be laid before Congress.

*Spain and the Interest due.*

The failure on the part of Spain to pay, with punctuality, the interest due under the Convention of 1834, for the settlement of claims between the two countries, has made it the duty of the Executive to call the particular attention of that Government to the subject. A disposition has been manifested by it, which is believed to be entirely sincere, to fulfil its obligations, in this respect, so soon as its internal condition and the state of its finances will permit. An arrangement is in progress, from the result of which, it is trusted that those of our citizens who have claims under the convention, will, at no distant day, receive the stipulated payments.

*Treaty of Commerce and Navigation with Belgium.*

A Treaty of Commerce and Navigation with Belgium was concluded and signed at Washington on the 29th March, 1840, and was duly sanctioned by the Senate of the United States. The treaty was ratified by His Belgian Majesty, but did not receive the approbation of the Belgian Chambers within the time limited by its terms, and has, therefore, become void.

This occurrence assumes the graver aspect from the consideration that, in 1833, a treaty negotiated between the two Governments, and ratified on the part of the United States, failed to be ratified on the part of Belgium. The Representative of that Government, at Washington, informs the Department of State that he has been instructed to give explanations of the causes which occasioned delay in the approval of the late treaty by the Legislature, and to express the regret of the King at the occurrence.

*Boundary between Texas.*

The joint commission under the convention with Texas, to ascertain the true boundary between the two countries, has concluded its labors; but the final report of the commissioner of the United States has not been received. It is understood, however, that the meridian line, as traced by the commission, lies somewhat further east than the position hitherto generally assigned to it, and, consequently, includes in Texas some part of the territory which had been considered as belonging to the States of Louisiana and Arkansas.

The United States cannot but take a deep interest in whatever relates to this young, but growing republic. Settled principally by emigrants from the United States, we have the happiness to know, that the great principles of civil liberty are there destined to flourish, under wise institutions and wholesome laws; and that, through its example, another evidence is to be afforded of the capacity of popular institutions, to advance the prosperity, happiness, and permanent glory of the human race. The great truth, that government was made for the people, and not the people for government, has already been established in the practice and by the example of these United States; and we can do no other than contemplate its further exemplification by a sister Republic, with the deepest interest.

*Independent States of South America.*

Our relations with the independent States of this hemisphere, formerly under the dominion of Spain, have not undergone any material change within the past year. The incessant sanguinary conflicts in, or between those countries, are to be greatly deplored, as necessarily tending to disable them from performing their duties as members of the community of nations, and rising to the destiny which the posi-

tion and natural resources of many of them might lead them justly to anticipate, as constantly giving occasion, also, directly or indirectly, for complaints on the part of our citizens who resort thither for purposes of commercial intercourse, and as retarding reparation for wrongs already committed, some of which are by no means of recent date.

The failure of the Congress of Ecuador to hold a session, at the time appointed for that purpose, in January last, will probably render abortive a treaty of commerce with that Republic, which was signed at Quito on the 13th of June, 1839, and had been duly ratified on our part, but which required the approbation of that body, prior to its ratification by the Ecuadorian Executive.

A Convention which has been concluded with the Republic of Peru, providing for the settlement of certain claims of citizens of the United States, upon the Government of that Republic, will be duly submitted to the Senate.

The claims of our citizens against the Brazilian Government, originating from captures, and other causes, are still unsatisfied. The United States have, however, so uniformly shown a disposition to cultivate relations of amity with that Empire, that it is hoped, the unequivocal tokens of the same spirit towards us, which an adjustment of the affairs referred to would afford, will be given without further avoidable delay.

*The War in Florida.*

The war with the Indian tribes on the peninsula of Florida has, during the last summer and fall, been prosecuted with untiring activity and zeal. A summer campaign was resolved upon, as the best mode of bringing it to a close.—Our brave officers and men who have been engaged in that service, have suffered toils and privations, and exhibited an energy, which, in any other war, would have won for them unfading laurels. In despite of the sickness incident to the climate, they have penetrated the fastnesses of the Indians, broken up their encampments, and harassed them unceasingly. Numbers have been captured, and still greater numbers have surrendered, and have been transported to join their brethren on the lands elsewhere allotted to them by the government—and a strong hope is entertained that, under the conduct of the gallant officer at the head of the troops in Florida, that troublesome and expensive war is destined to a speedy termination. With all the other Indian tribes, we are enjoying the blessings of peace. Our duty, as well as our best interests, prompt us to observe, in all our intercourse with them, fidelity in fulfilling our engagements, the practice of strict justice, as well as the constant exercise of acts of benevolence and kindness. These are the great instruments of civilization, and through the use of them alone, can the untutored child of the forest be induced to listen to its teachings.

*Sixth Census.*

The Secretary of State, on whom the acts of Congress have devolved the duty of directing the proceedings for the taking of the Sixth Census, or enumeration of the inhabitants of the United States, will report to the two Houses the progress of that work. The enumeration of persons has been completed, and exhibits a grand total of 17,069,453,\* making an increase over the Census of 1830, of 4,202,646 inhabitants, and showing a gain in a ratio exceeding 32½ per cent. for the last ten years.

*Condition of the Finances.*

From the report of the Secretary of the Treasury, you will be informed of the condition of the finances. The balance in the Treasury on the 1st of January last, as stated in the report of the Secretary of the Treasury, submitted to Congress at the Extra Session, was \$987,345 03. The receipts into the Treasury, during the first three quarters of this year, from all sources, amount to \$23,467,072 52. The estimated receipts for the fourth quarter, amount to \$6,943,095 25, amounting to \$30,410,167 77; and making, with the balance in the Treasury, on the first of January last,

\* The aggregate published at Washington, makes 17,068,646.—Ed. Reg.

\$31,397,512 80. The expenditures for the first three quarters of this year, amount to \$24,734,346 97. The expenditures for the fourth quarter, as estimated, will amount to \$7,290,723 73:—thus making a total of \$32,025,070 70; and leaving a deficit to be provided for, on the first of January next, of about \$627,557 90.

*Loan of \$12,000,000.*

Of the loan of \$12,000,000, which was authorized by Congress at its late session, only \$5,432,726 88 have been negotiated. The shortness of time which it had to run, has presented no inconsiderable impediment in the way of its being taken by capitalists at home, while the same cause would have operated with much greater force in the foreign market. For that reason the foreign market has not been resorted to; and it is now submitted, whether it would not be advisable to amend the law by making what remains undisposed of, payable at a more distant day.

*Tariff of Duties.*

Should it be necessary, in any view that Congress may take of the subject, to revise the existing tariff of duties, I beg leave to say, that, in the performance of that most delicate operation, moderate counsels would seem to be the wisest. The government under which it is our happiness to live, owes its existence to the spirit of compromise which prevailed among its framers—jarring and discordant opinions could only have been reconciled by that noble spirit of patriotism, which prompted conciliation, and resulted in harmony. In the same spirit the Compromise Bill, as it is commonly called, was adopted at the session of 1833. While the people of no portion of the Union will ever hesitate to pay all necessary taxes for the support of government, yet an innate repugnance exists, to the imposition of burthens not really necessary for that object. In imposing duties, however, for the purposes of revenue, a right to discriminate as to the articles on which the duty shall be laid, as well as the amount, necessarily and most properly exists. Otherwise the government would be placed in the condition of having to levy the same duties upon all articles, the productive, as well as the unproductive. The slightest duty upon some, might have the effect of causing their importation to cease, whereas others entering extensively into the consumption of the country, might bear the heaviest, without any sensible diminution in the amount imported. So also the government may be justified in so discriminating, by reference to other considerations of domestic policy connected with our manufactures. So long as the duties shall be laid with distinct reference to the wants of the Treasury, no well founded objection can exist against them. It might be esteemed desirable that no such augmentation of the taxes should take place as would have the effect of annulling the land proceeds distribution act of the last session, which act is declared to be imperative the moment the duties are increased beyond 20 per cent., the maximum rate established by the Compromise Act. Some of the provisions of the Compromise Act, which will go into effect on the 30th day of June next, may, however, be found exceedingly inconvenient in practice, under any regulations that Congress may adopt. I refer more particularly to that relating to the home valuation. A difference in value of the same articles to some extent, will necessarily, exist at different ports—but that is altogether insignificant, when compared with the conflicts in valuation, which are likely to arise, from the differences of opinion among the numerous appraisers of merchandise.—In many instances the estimates of value must be conjectural, and thus as many different rates of value may be established as there are appraisers. These differences in valuation may also be increased by the inclination, which, without the slightest imputation on their honesty, may arise on the part of the appraisers in favor of their respective ports of entry. I recommend this whole subject to the consideration of Congress, with a single additional remark. Certainty and permanency in any system of governmental policy are, in all respects, eminently desirable; but more particularly is this true in all that affects trade and commerce, the operations of which depend much more on the certainty of their

returns, and calculations which embrace distant periods of time, than on high bounties, or duties, which are liable to constant fluctuations.

*Currency and Exchanges.*

At your late session, I invited your attention to the condition of the currency and exchanges, and urged the necessity of adopting such measures as were consistent with the constitutional competency of the government, in order to correct the unsoundness of the one, and as far as practicable the inequalities of the other. No country can be in the employment of its full measure of prosperity, without the presence of a medium of exchange, approximating to uniformity of value. What is necessary as between the different nations of the earth, is also important as between the inhabitants of different parts of the same country; with the first the precious metals constitute the chief medium of circulation, and such also would be the case as to the last, but for inventions comparatively modern, which have furnished, in place of gold and silver, a paper circulation. I do not propose to enter into a comparative analysis of the merits of the two systems. Such belonged more properly to the period of the introduction of the paper system. The speculative philosopher might find inducements to prosecute the inquiry, but his researches could only lead him to conclude, that the paper system had probably better never have been introduced, and that society might have been much happier without it. The practical statesman has a very different task to perform. He has to look at things as they are—to take them as he finds them—to supply deficiencies, and to prune excesses as far as in him lies. The task of furnishing a corrective for derangements of the paper medium with us, is almost inexpressibly great. The power exerted by the States to charter banking corporations, and which, having been carried to a great excess, has filled the country with, in most of the States, an irredeemable paper medium, is an evil which, in some way or other, requires a corrective. The rates at which bills of exchange are negotiated between different parts of the country, furnish an index of the value of the local substitute for gold and silver, which is, in many parts, so far depreciated, as not to be received, except at a large discount, in payment of debts, or in the purchase of produce. It could earnestly be desired that every bank, not possessing the means of resumption, should follow the example of the late United States Bank of Pennsylvania, and go into liquidation, rather than by refusing to do so to continue embarrassments in the way of solvent institutions, thereby augmenting the difficulties incident to the present condition of things. Whether this government, with due regard to the rights of the States, has any power to constrain the banks, either to resume specie payments, or to force them into liquidation, is an inquiry which will not fail to claim your consideration. In view of the great advantages which are allowed the corporators, not among the least of which is the authority contained in most of their charters, to make loans to three times the amount of their capital, thereby often deriving three times as much interest on the same amount of money as any individual is permitted by law to receive, no sufficient apology can be urged for a long continued suspension of specie payments. Such suspension is productive of the greatest detriment to the public, by expelling from circulation the precious metals, and seriously hazarding the success of any effort that this government can make, to increase commercial facilities, and to advance the public interests.

This is the more to be regretted, and the indispensable necessity for a sound currency becomes the more manifest when we reflect on the vast amount of the internal commerce of the country. Of this we have no statistics, nor just data for forming adequate opinions. But there can be no doubt, but that the amount of transportation coastwise, by sea, and the transportation inland by railroads and canals, and by steamboats and other modes of conveyance, over the surface of our vast rivers and immense lakes, and the value of property carried and interchanged by these means, form a general aggregate, to which the foreign commerce of the country, large as it is, makes but a distant approach.

In the absence of any controlling power over this subject, which by forcing a general resumption of specie payments would at once have the effect of restoring a sound medium of exchange, and would leave to the country but little to desire, what measure of relief, falling within the limits of our constitutional competency, does it become this government to adopt? It was my painful duty at your last session, under the weight of most solemn obligations, to differ with Congress on the measures which it proposed for my approval, and which it doubtless regarded as corrective of existing evils. Subsequent reflection, and events since occurring, have only served to confirm me in the opinions then entertained, and frankly expressed.

I must be permitted to add, that no scheme of governmental policy, unaided by individual exertions, can be available for ameliorating the present condition of things. Commercial modes of exchange and a good currency, are but the necessary means of commerce and intercourse, not the direct productive sources of wealth. Wealth can only be accumulated by the earnings of industry and the savings of frugality; and nothing can be more ill-judged than to look to facilities in borrowing, or to a redundant circulation, for the power of discharging pecuniary obligations. The country is full of resources and the people full of energy, and the great and permanent remedy for present embarrassments must be sought in industry, economy, the observance of good faith, and the favorable influence of time.

#### *A Plan of Finance.*

In pursuance of a pledge given to you in my last message to Congress, which pledge I urge as an apology for adventuring to present you the details of any plan, the Secretary of the Treasury will be ready to submit to you, should you require it, a plan of finance which, while it throws around the public treasure reasonable guards for its protection, and rests on powers acknowledged in practice to exist from the origin of the government, will, at the same time, furnish to the country a sound paper medium, and afford all reasonable facilities for regulating the Exchanges. When submitted, you will perceive in it a plan amendatory of the existing laws in relation to the Treasury Department—subordinate in all respects to the will of Congress directly, and the will of the people indirectly—self-sustaining, should it be found in practice to realize its promises in theory, and repealable at the pleasure of Congress. It proposes by effectual restraints, and by invoking the true spirit of our institutions, to separate the purse from the sword; or more properly to speak, denies any other control to the President over the agents who may be selected to carry it into execution, but what may be indispensably necessary to secure the fidelity of such agents; and, by wise regulations, keeps plainly apart from each other, private and public funds. It contemplates the establishment of a Board of Control, at the Seat of Government, with agencies at prominent commercial points, or wherever else Congress shall direct, for the safe-keeping and disbursement of the public moneys, and a substitution, at the option of the public creditor, of Treasury notes, in lieu of gold and silver. It proposes to limit the issues to an amount not to exceed \$15,000,000—without the express sanction of the legislative power. It also authorizes the receipt of individual deposits of gold and silver to a limited amount, and the granting certificates of deposit, divided into such sums as may be called for by the depositors. It proceeds a step further, and authorizes the purchase and sale of domestic bills and drafts, resting on a real and substantial basis, payable at sight, or having but a short time to run, and drawn on places not less than one hundred miles apart—which authority, except in so far as may be necessary for government purposes exclusively, is only to be exerted upon the express condition, that its exercise shall not be prohibited by the State in which the agency is situated.

In order to cover the expenses incident to the plan, it will be authorized to receive moderate premiums for certificates issued on deposits, and on bills bought and sold, and thus, as far as its dealings extend, to furnish facilities to commercial intercourse at the lowest possible rates, and to subduct from the earnings of industry, the least possible sum. It uses

the State banks at a distance from the agencies, as auxiliaries, without imparting any power to trade in its name. It is subjected to such guards and restraints as have appeared to be necessary. It is the creature of law, and exists only at the pleasure of the Legislature. It is made to rest on an actual specie basis, in order to redeem the notes at the places of issue—produces no dangerous redundancy of circulation—affords no temptation to speculation—is attended by no inflation of prices—is equable in its operation—makes the Treasury notes, which it may use along with the certificates of deposit, and the notes of specie-paying banks, convertible at the place where collected, receivable in payment of government dues—and, without violating any principle of the Constitution, affords the government and the people such facilities as are called for by the wants of both. Such, it has appeared to me, are its recommendations, and in view of them it will be submitted, whenever you may require it, to your consideration.

I am not able to perceive that any fair and candid objection can be urged against the plan, the principal outlines of which I have thus presented. I cannot doubt but that the notes which it proposes to furnish, at the voluntary option of the public creditor, issued in lieu of the revenue and its certificates of deposit, will be maintained at an equality with gold and silver, everywhere. They are redeemable in gold and silver on demand, at the places of issue. They are receivable everywhere in payment of government dues. The Treasury notes are limited to an amount of one-fourth less than the estimated annual receipts of the Treasury; and in addition they rest upon the faith of the government for their redemption. If all these assurances are not sufficient to make them available, then the idea, as it seems to me, of furnishing a sound paper medium of exchanges, may be entirely abandoned.

If a fear be indulged that the government may be tempted to run into excess in its issues, at any future day, it seems to me that no such apprehension can reasonably be entertained, until all confidence in the representatives of the States and of the people, as well as of the people themselves, shall be lost. The weightiest considerations of policy require that the restraints now proposed to be thrown around the measure should not, for light causes, be removed. To argue against any proposed plan its liability to possible abuse, is to reject every expedient, since everything dependent on human action is liable to abuse. Fifteen millions of Treasury notes may be issued as the *maximum*, but a discretionary power is to be given to the Board of Control, under that sum, and every consideration will unite in leading them to feel their way with caution. For the eight first years of the existence of the late Bank of the United States, its circulation barely exceeded \$4,000,000; and for five of its most prosperous years, it was about equal to \$16,000,000; furthermore, the authority given to receive private deposits to a limited amount, and to issue certificates in such sums as may be called for by the depositors, may so far fill up the channels of circulation as greatly to diminish the necessity of any considerable issue of Treasury notes. A restraint upon the amount of private deposits has seemed to be indispensably necessary, from an apprehension thought to be well founded, that in any emergency of trade, confidence might be so far shaken in the banks as to induce a withdrawal from them of private deposits, with a view to ensure their unquestionable safety when deposited with the government, which might prove eminently disastrous to the State banks. Is it objected that it is proposed to authorize the agencies to deal in bills of exchange? It is answered, that such dealings are to be carried on at the lowest possible premium—are made to rest on an unquestionably sound basis—are designed to re-imburse merely the expenses which would otherwise devolve upon the Treasury, and are in strict subordination to the decision of the Supreme Court, in the case of the Bank of Augusta against Earle, and other reported cases; and thereby avoids all conflict with State jurisdiction, which I hold to be indispensably requisite. It leaves the banking privileges of the States without interference—looks to the Treasury and the Union—and, while furnishing every facility to the first, is careful of the interests of the last. But



above all, it is created by law, is amendable by law, and is repealable by law; and wedded as I am to no theory, but looking solely to the advancement of the public good, I shall be amongst the very first to urge its repeal, if it be found not to subserve the purposes and objects for which it may be created. Nor will the plan be submitted in any overweening confidence, in the sufficiency of my own judgment, but with much greater reliance on the wisdom and patriotism of Congress. I cannot abandon this subject without urging upon you, in the most emphatic manner, whatever may be your action on the suggestions which I have felt it to be my duty to submit, to relieve the Chief Executive Magistrate by any and all constitutional means, from a controlling power over the public Treasury. If, in the plan proposed, should you deem it worthy of your consideration, that separation is not as complete as you may desire, you will, doubtless, amend it in that particular. For myself, I disclaim all desire to have any control over the public moneys, other than what is indispensably necessary, to execute the laws which you may pass.

#### *Debts of the States.*

Nor can I fail to advert, in this connexion, to the debts, which many of the States of the Union have contracted abroad, and under which they continue to labor. That indebtedness amounts to a sum not less than \$200,000,000, and which has been retributed to them, for the most part, in works of internal improvement, which are destined to prove of vast importance in ultimately advancing their prosperity and wealth. For the debts thus contracted, the States are alone responsible. I can do no more than express the belief that each State will feel itself bound by every consideration of honor, as well as of interest, to meet its engagements with punctuality. The failure, however, of any one State to do so, should in no degree affect the credit of the rest; and the foreign capitalist will have no just cause to experience alarm as to all other State stocks, because any one or more of the States may neglect to provide with punctuality the means of redeeming their engagements. Even such States, should there be any, considering the great rapidity with which their resources are developing themselves, will not fail to have the means, at no very distant day, to redeem their obligations to the uttermost farthing; nor will I doubt but that in view of that honorable conduct which has evermore governed the States, and the People of this Union, they will each and all resort to every legitimate expedient, before they will forego a faithful compliance with their obligations.

#### *Fortifications.*

From the report of the Secretary of War, and other reports accompanying it, you will be informed of the progress which has been made in the fortifications designed for the protection of our principal cities, roadsteads, and inland frontier, during the present year; together with their true state and condition. They will be prosecuted to completion with all the expedition which the means placed by Congress at the disposal of the Executive will allow.

#### *Military Posts.*

I recommend particularly to your consideration, that portion of the Secretary's report which proposes the establishment of a chain of military posts, from Council Bluffs to some point on the Pacific Ocean, within our limits. The benefit thereby destined to accrue to our citizens engaged in the fur trade, over that wilderness region, added to the importance of cultivating friendly relations with savage tribes inhabiting it, and at the same time of giving protection to our frontier settlements, and of establishing the means of safe intercourse between the American settlements at the mouth of the Columbia river, and those on this side of the Rocky Mountains, would seem to suggest the importance of carrying into effect the recommendations upon this head with as little delay as may be practicable.

#### *The Navy.*

The report of the Secretary of the Navy, will place you in possession of the present condition of that important arm

of the national defence. Every effort will be made to add to its efficiency, and I cannot too strongly urge upon you, liberal appropriations to that branch of the public service.—Inducements of the weightiest character exist for the adoption of this course of policy. Our extended and otherwise exposed maritime frontier, calls for protection, to the furnishing of which an efficient naval force is indispensable. We look to no foreign conquests, nor do we propose to enter into competition with any other nation for supremacy on the ocean—but it is due not only to the honor, but to the security of the People of the United States, that no nation should be permitted to invade our waters at pleasure, and subject our towns and villages to conflagration or pillage.—Economy in all branches of the public service, is due from all the public agents to the people—but parsimony alone would suggest the withholding of the necessary means, for the protection of our domestic firesides from invasion, and our national honor from disgrace. I would most earnestly recommend to Congress, to abstain from all appropriations, for objects not absolutely necessary; but I take upon myself, without a moment of hesitancy, all the responsibility of recommending the increase and prompt equipment of that gallant Navy, which has lighted up every sea with its victories, and spread an imperishable glory over the country.

#### *Post-Office Department.*

The report of the Postmaster General will claim your particular attention, not only because of the valuable suggestions which it contains, but because of the great importance which, at all times, attaches to that interesting branch of the public service. The increased expense of transporting the mail along the principal routes, necessarily claims the public attention, and has awakened a corresponding solicitude on the part of the government. The transmission of the mail must keep pace with those facilities of inter-communication which are every day becoming greater through the building of railroads, and the application of steam power—but it cannot be disguised that, in order to do so, the Post-Office Department is subjected to heavy exactions. The lines of communication between distant parts of the Union, are, to a great extent, occupied by railroads, which, in the nature of things, possess a complete monopoly, and the Department is therefore liable to heavy and unreasonable charges. This evil is destined to great increase in future, and some timely measure may become necessary to guard against it.

#### *Power of removing incumbents from office.*

I feel it my duty to bring under your consideration a practice which has grown up in the administration of the government, and which, I am deeply convinced, ought to be corrected. I allude to the exercise of the power, which usage, rather than reason, has vested in the Presidents, of removing incumbents from office, in order to substitute others more in favor with the dominant party. My own conduct, in this respect, has been governed by a conscientious purpose to exercise the removing power, only in cases of unfaithfulness or inability, or in those in which its exercise appeared necessary, in order to discountenance and suppress that spirit of active partisanship on the part of holders of office, which not only withdraws them from the steady and impartial discharge of their official duties, but exerts an undue and injurious influence over elections, and degrades the character of the government itself, inasmuch as it exhibits the Chief Magistrate, as being a party, through his agents, in the secret plots or open workings of political parties.

In respect to the exercise of this power, nothing should be left to discretion, which may safely be regulated by law; and it is of high importance to restrain, as far as possible, the stimulus of personal interests in public elections. Considering the great increase which has been made in public offices, in the last quarter of a century, and the probability of farther increase, we incur the hazard of witnessing violent political contests, directed too often to the single object of retaining office, by those who are in, or obtaining it, by those who are out. Under the influence of these convictions, I shall cordially concur in any constitutional measures for

regulating, and by regulating, restraining, the power of removal.

*Smithsonian Legacy.*

I suggest for your consideration, the propriety of making, without further delay, some specific application of the funds derived under the will of Mr. Smithson, of England, for the diffusion of knowledge; and which have heretofore, been vested in public stocks, until such time as Congress should think proper to give them a specific direction. Nor will you, I feel confident, permit any abatement of the principal of the legacy to be made, should it turn out that the stocks, in which the investments have been made, have undergone a depreciation.

*District of Columbia.*

In conclusion, I commend to your care the interests of this District, for which you are the exclusive legislators. Considering that this city is the residence of the government, and for a large part of the year, of Congress, and, considering also, the great cost of the public buildings, and the propriety of affording them at all times careful protection, it seems not unreasonable that Congress should contribute towards the expense of an efficient police.

JOHN TYLER.

WASHINGTON, December 7, 1841.

**Colored Settlement in Ohio.**

We find in the Xenia (O.) Free Press, an interesting account of a colony of colored persons in Mercer county, Ohio, the existence of which we were not before aware of, and respecting which we suppose but little is known out of its immediate vicinity.

The founder of the colony is Mr. Augustus Wattles, an eastern gentleman of liberal education, who five years ago made a purchase of land in Mercer county for himself and a few colored men who were befriended by him. His example and exertions in their behalf induced others of that class to purchase in the same neighborhood, which settlements have been gradually extending, until there are now 24,000 acres of as good land as any in the county owned by the colony, and new accessions are constantly taking place.

Among the settlers are some of the most wealthy and respectable colored persons from our populous cities, who live in truly independent style; others are manumitted and self-ransomed slaves who have purchased their freedom, who generally own small farms of forty or eighty acres, on which they live in comfortable houses.

The general character of the colonists thus associated, for honesty and industry, is favorably spoken of, and the truly creditable fact that ardent spirits are prohibited among them, speaks well for their habits of sobriety. Most of them are likewise professors of religion. The improvements which have been made in the settlement, during the short period which has elapsed since its establishment, are spoken of as equal, if not superior, to those in any other portion of the adjacent country, and their fine breeds of cattle, excellent fences, and good dwellings, excite the surprise and admiration of travellers.

A good school has been in operation since the commencement of the settlement, and Mr. Wattles has likewise established a higher institution—or college, as it is termed—large enough for the accommodation of one hundred scholars, at which colored youths have an opportunity of acquiring a good education, paying their board by their own labor.—There is a farm of one hundred and ninety acres attached to the school, in a forward state of improvement. Some progress has been made in the cultivation of mulberry trees for the purpose of making silk.

The letter from which we gather the above facts, also mentions that Mr. Charles Moore, a colored man, has lately laid out a town which he calls Carthagenia. It is situated on the head waters of the Beaver, about three miles south of the Grand Reservoir, and seven from the county seat of Mercer county. The country so far is as healthy as any part of the State. Colored mechanics, masons, carpenters, &c., are at work erecting buildings both in that town and at the county seat.—*Buffalo Journal.*

**Suspended Banking Associations.**

COMPTROLLER'S OFFICE, }  
Banking Department, 3d Dec. 1841. }

T. WEEB, Esq.

Dear Sir—I send you below a statement of the circulation and securities of the several Free Banking Associations, understood to be suspended or no longer redeemed at their Agency Offices.

JOHN A. COLLIER.

<i>Staten Island Bank</i> —Circulation.....	\$ 9,702
Securities (bonds and mortgages) ....	\$11,090
Indiana 5's .....	15,000
<i>James Bank</i> —Circulation.....	32,350
Securities (bonds and mortgages) ....	26,934
Michigan 6 per cents.....	18,000
<i>Bank of Olean</i> —Secured by pledge of stock and real estate circulation.....	50,154
Securities (bonds and mortgages) ....	6,231
Secondly—pledge of public stock, circ'n.....	3,224
Securities, (New York 5 per cents) ..	3,000
Indiana fives.....	1,000
Illinois sixes .....	12,000
New York fives.....	20,000
<i>Washington Bank, N. Y.</i> —Circulation .....	19,235
Securities (bonds and mortgages) ....	10,000
New York five per cents....	10,000
<i>Allegheny County Bank</i> —Stock and real estate account—Circulation.....	32,422
Securities (bonds and mortgages) ....	16,500
Indiana five per cents .....	15,000
New York five per cents..	9,000
Stock Account—Circulation .....	3,500
Securities (Indiana five per cents)....	5,000
<i>St. Lawrence Bank</i> —Stock and real es- tate—Circulation.....	77,379
Securities (bonds and mortgages)....	43,175 50
Arkansas six per cents .....	34,000
Illinois six per cents .....	22,000
Stock Account—Circulation .....	32,156
Securities (Arkansas six per cents)...	28,000
<i>Bank of Watertown</i> —Circulation .....	62,900
Securities (bonds and mortgages)....	36,192 47
Arkansas six per cents .....	45,000
Illinois six per cents .....	1,000

**A Strong Team.**

The locomotive Orange, left the depot in this village on Tuesday night, with the Eleazer Lord, eight freight and two passenger cars. The whole train was fastened together with a brakeman at each car, and made a beautiful appearance. The Orange is a powerful engine, and it was believed, would be able, with the assistance of the Eleazer Lord, to ascend the steepest grade with the immense freight without difficulty.

Since the above was in type, we have been furnished with the items of freight sent down on Tuesday, as follows—

	lbs.
Butter .....	58,410
Pork.....	30,312
Poultry .....	5,359
Beef.....	954
Nuts .....	1,015
Live Stock .....	900
Sundries .....	1,500
Total.....	98,481

The above is the greatest freight that has yet been forwarded from Goshen in a single day.—*Goshen Democrat.*

**Account of Cold Winters.***For Hazard's Commercial and Statistical Register.*

Mr. Editor:

A few years since, I published in the United States Gazette, an account of the coldest winters of which we have any record, either in manuscript or print, and which I acquired after the most diligent research of many months, having had recourse to libraries and records both ancient and modern, public and private. The publication excited a great deal of interest at the time. All the extra papers were purchased immediately, and hundreds more would have found a ready sale. Since the publication here referred to, I have been repeatedly solicited to re-publish the same; as many persons are desirous of preserving and handing it down to their children, and children's children, that they may know what kind of weather there has been, in gone-by years and centuries; and as I know of no periodical so well calculated to preserve statistical information as your United States Commercial and Statistical Register, I take the liberty of sending you the following for insertion therein.

N. B. Since the publication in the United States Gazette, I have met with several additional items, which I have included in the following.

Yours, respectfully,

C. P.

Philadelphia, December, 1841.

In the United States, and particularly in this latitude, we scarcely know what intensely cold weather is, for any length of time. In some parts of this planet, however, it has been so cold that the number of degrees could not be ascertained, as mercury freezes at 40 below 0, or zero, and spirits of wine had not been introduced as a substitute.

In the Christian era, 301, the cold was so intense that the Black Sea was entirely frozen over.

In 401, the Pontus Sea was entirely frozen over, and the sea between Constantinople and Scutari, in Turkey.

In 462, the Danube was completely frozen over, so that a whole army crossed over upon the ice. In 762, the Dardanelles and Black Sea were again frozen over, and the snow drifted to the depth of fifty feet!

In 859, carriages passed on the Adriatic Sea; and in 860, the cold was so intense that cattle froze to death in their stalls.

In 860, the Mediterranean Sea, between Asia, Africa and Europe, was so thickly frozen that it was passable with carriages and vehicles to transport merchandise. It was frozen in like manner in 1234.

In 1067, the cold was so intense in Germany that many travellers perished on the road.

In 1133, the cold was so great in Italy that the Po was frozen from Cremona to the sea; the wine burst the casks, and the trees split with an immense noise.

In 1216, the river Po again froze to the depth of sixteen feet, and the wine casks burst.

In 1234, a pine forest was killed by the cold in Italy.

In 1282, the houses in Austria were buried in snow, and vast numbers of persons perished.

In 1292, the Rhine was frozen, and snow fell to a frightful depth.

In 1294, the sea between Norway and Denmark was frozen so thick as to be travelled upon to Jutland.

In 1323, the Baltic was frozen so as to be passable with horses, &c., for six weeks. It was again frozen in 1349, 1402 and 1408.

In 1423, '26 and '59, the ice bore riding upon from Lubec to Prussia.

In 1341, all the rivers in Italy were again frozen.

In 1384, the Rhine and Scheldt, and even the Sea of Venice were frozen.

In 1620, the sea between Constantinople and Iskodar was passable on the ice.

In 1670, the cold was so intense in England, France and Denmark that the Little and Great Belt were frozen, and many persons perished.

In 1681, the cold was so great in England and Russia as to split and destroy whole forests of oak trees.

In 1692, the cold was so intense in Vienna that the half-starved wolves left their lurking places and came into the city, and attacked men, women and cattle.

In 1776, the Danube was frozen five feet thick below Vienna.

In England, the Thames was frozen below Gravesend in 1683, 1709, '16, '39, '42, '54, '60, '63, '84 and '89, when it was crossed opposite the Custom House; and the intense cold extended through Europe.

**Cold Winters in the United States.**

On the 11th of December, 1681, the Delaware froze entirely over in one night, and the winter was very severe.

In 1697, loaded sleds passed on the Delaware from Philadelphia to Chester.

Also, the same winter, sleighs and sleds passed from Boston to Nantasket.

In December, 1704, snow fell to the depth of three feet; the Delaware closed, and the whole winter was intensely cold.

In 1717, there was the greatest snow storm ever experienced since the settlement of this country. The quantity or depth our pilgrim fathers did not mention in their record. We suppose they were not so particular in those days as we are now!

In March, 1725, snow fell in one night to the depth of two feet.

In the winter of 1728, the Delaware was closed by thick ice for three months.

The winter of 1757 was intensely cold. Many persons froze to death.

The winter of 1740, the Delaware was closed by ice till the 14th of March.

The winter of 1741 was intensely cold. Many cattle and deer were found frozen to death. Bread stuff and provisions were so scarce, that many persons in this State subsisted on the deer found dead. As late in the spring as the 19th of April, the snow was three feet deep.

In 1742, a gentleman drove a horse and sleigh on the ice from near Hell-gate, (New York) through the Sound to Cape Cod; and on the 4th of February, 1780, cannon were taken on the ice from New York city down to Staten Island.

The winter of 1750 was open, but the spring months were very cold; as late as the 30th of May there was considerable snow in the country.

On the 31st of December, 1764, the Delaware was frozen from shore to shore in one night, and the winter was severely cold. The snow fell on the 28th of March, to the depth of two feet and a half.

The winter of 1771-72 was intensely cold. The Delaware was closed three months, and as late in the spring as the 2d of April, a great quantity of snow was upon the ground.

On the 9th of January, 1773, the mercury was 9 degrees below 0. There was much snow and cold weather until the 10th of March.

1780—a memorable cold winter. The ice in the Delaware three feet thick, and continued fast three months and a half. Squirrels and partridges were found frozen to death.

The winter of 1779-80 was the most severe ever known in America. Long Island Sound was frozen over and the Chesapeake was passed with loaded sleds and sleighs at Annapolis. The ice in the Delaware was three feet thick.

The winters of 1783, '84 and '85 were also severely cold.

December 26, 1788, the Delaware was completely closed by ice, and so continued until the 18th of March.

The winter and spring of 1789, were severely cold. Fires were necessary until the 1st of June, after which the weather became intensely warm, and continued so into autumn. On several mornings in the months of July and August the mercury rose to 96, in the shade, by 10 o'clock, and the

meat became so putrid in the market, that the Mayor ordered it to be thrown into the Delaware. There was a great deal of sickness, particularly among children; sixteen were buried on the first Sabbath in July, and from ten to twelve daily for some time.

The winter of 1790 was uncommonly mild. It was so warm on the 2d of January, that boys went into the Delaware to bathe.

The winter of 1793 was very mild, and the subsequent part of the year was very sickly. The yellow fever prevailed to an awful degree during the months of September and October.

The winter of 1797 was intensely cold. The mercury frequently sunk from 10 to 13 degrees below 0. A gill of brandy was put into a saucer, and placed in an open lot north of the city, on the 9th of January, and a ring of ice formed round the edge an inch broad. A gill of water placed near, froze solid in ten minutes.

The winter of 1799 was long and severe. On the 14th of March, there was a deep snow, and on the 6th of June, a severe frost.

The winter of 1800 was very cold, from the 6th of January to the 8th of March, snow two feet deep on a level.

On the 7th of January, 1800, there was a great snow storm in South Carolina and Georgia, and the weather was intensely cold all over the United States, as were the winters of 1808, '12, '18, '21, '27, '31, '32, '34 and '35, although some mild weather was experienced during each of the winters.

The winter of 1803 was severe. The spring was cold and very backward.

In 1805, December 28 and 29, there was an awful storm, with the wind blowing a hurricane, by which several vessels were sunk at the wharves, and great damage done.

On the 5th of December, 1806, there was good sleighing and the winter was long and severe. Fires were continued in parlors until the 13th of June.

The winter of 1809 was mild, until the first week in February, when the cold balanced accounts with ten per cent. interest. The Delaware closed with thick ice for several miles down. On the 27th of February, the merchants employed a great number of men to cut the ice from Pine street to Gloucester Point. On the 14th of March, snow fell to the depth of eighteen inches. There were severe frosts as late in the season as the 30th of May. On the 23d of November, snow fell to the depth of twelve inches, and there was good sleighing to the end of the month. The Schuylkill river froze over on the 25th of November. From the first week in December to the 20th of January, the weather was mild, after which the weather became very cold.

December 18, 1810—the Delaware closed for a few days, after which it continued open till the 29th of January, when it again closed, and continued so until the first of March. A great deal of snow fell in February, and there was a distressing time for fuel. Fruit in the summer and autumn of 1810, was very abundant. Peaches and apples sold for twelve and a half cents a bushel.

The winters of 1811, '12, '13 and '14, were comparatively mild.

The winter of 1815 was very cold, and fuel scarce. Oak wood sold from twelve to fourteen dollars a cord.

The winter of 1816 was mild, but there was frost every month in the year.

The winter of 1817 was moderate, until the middle of January, when the Delaware closed, and so continued until the 9th of March.

The winters of 1818, '19, and 20, were tolerably mild.

The winter of 1821 was excessively cold. The mercury several times fell from 2 to 10 below 0. On the 24th of January, three cows froze to death near the city. Snow very deep.

Jan., 1821—the coldest winter for many years, the mercury sunk to 17 below 0 in Boston, and in Newburyport, to 18. In Salem, (Mass.) to 20. In Lowell, to 29. In Greensfield, to 36. In Concord, to 37. In Portsmouth, (N. H.) to 19. In Dover, (N. H.) to 28. In Exeter, to 32.

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32. In Portland, (Maine,) 18 below. In Gardner, (Me.) to 33. In Saco, (Me.) to 28. In Bangor, to 34. At Brunswick, (Me.) to 39 below 0. In Newmarket, (N. H.) the mercury stiffened in the bulb at 39 below 0.

While the weather was so cold at the North-East, in 1821, the mercury did not sink in Philadelphia and vicinity, lower than 10 below 0.

The winters from 1822 to 1831, were rather mild than otherwise, although there were some pinching days in each.

The winters of 1831–2, and 1834–5, were intensely cold most of the time. The Delaware closed and opened twice in each winter, from the 1st of December to the 1st of March. Mercury 5 below 0 several times, and once 7 below.

January 1831.—One of the deepest snows for thirty years.

On the 14th of January, 1821, there was one of the deepest snows then recollected by our oldest citizens. The drifts on the north side of Market street, were so deep as to require the market-wagons to be dug out; mails and stages were prevented from arriving or departing for several days; and the milk carts were prevented in like manner from coming into the city.

In 1832, the mercury sunk to 18 degrees below zero in Boston, and several degrees lower in places further north.

Quicksilver will freeze and burst the bulb to the Thermometer, at 40 below 0. Therefore, in very cold climates, they use Thermometers which are filled with spirits of wine. Parry in his second voyage, to the North Pole, said his alcoholic Thermometers sunk to 58 below 0.

#### Vineyards in the West.

Mr. John Davis, who resides in Indiana, about ten miles from Louisville, and four from Utica, has made a most successful experiment in the cultivation of the grape. We visited his vineyard in September last, when the fruit was just ripe for the press. It is seven acres in extent, but there was but an acre and a half in bearing. The vines were planted in rows six feet apart, and three feet apart in the rows. Posts, eight feet apart, are set along the rows, with pegs driven in them fourteen inches apart. On these pegs, rods or laths are laid and tied; and to this cheap frame the vines are trained to the height of six or seven feet. Every year the old wood is cut out, and but a few branches suffered to grow from each root; and they receive little other culture, except an occasional ploughing, and lashing the vines with bark to the frame-work. When we saw this vineyard, the acre and a half in bearing presented, in each row, almost solid walls of fruit; and we learn from a communication in the Advertiser that the produce was 1,170 gallons of pure wine. No acre in Europe ever surpassed this. The fruit was very delicious, especially the Catawba. Mr. Davis has tried the Cape, the Isabella, and the Catawba, and he gives the latter greatly the preference. It is far the best in flavor; and, being a native grape, is perfectly adapted to the climate. The soil of Mr. Davis's vineyard is of ordinary fertility, and hilly. He uses no manure. The vineyard is now six years old. It bore a heavy crop at five years. He has promised us a full account of his mode of cultivation.

(*Louisville Gazette.*)

#### Debt of Albany.

The Chamberlain of the city of Albany states the debt of that city as follows—

"Whole city debt, May 1, 1841.....	\$395,532 43
Deduct for basin improvements.....	\$204,771 66
Do. for erection of school houses.....	20,000 00
	<hr/> 221,771 66

Leaving a balance due from the city, May 1, 1841, of.....	\$173,760 77
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To meet which, the city is in possession of assets which are all considered good, amounting to \$324,567 52, leaving a balance in favor of the city of \$151,806 65."



# STATEMENT EXHIBITING A CONDENSED VIEW

Of the tonnage of the several districts of the United States, on the 30th of September, 1840.

DISTRICTS.	Registered tonnage.	Enrolled and licensed tonnage.	Total tonnage of each district.	DISTRICTS.	Registered tonnage.	Enrolled and licensed tonnage.	Total tonnage of each district.
	Tons and 95ths.	Tons and 95ths.	Tons and 95ths.		Tons and 95ths.	Tons and 95ths.	Tons and 95ths.
<i>Maine.</i>				<i>Maryland.</i>			
Passamaquoddy.	3,259 18	8,912 51	12,171 72	Oxford.....	97 87	13,828 16	13,926 08
Machias.....	895 29	10,951 93	11,847 27	Vienna.....	606 52	14,927 75	15,534 32
Frenchmans Bay	2,250 90	18,113 40	20,365 35	Snow Hill.....	....	7,640 73	7,640 73
Penobscot.....	6,124 37	31,006 13	37,130 50	Annapolis.....	....	4,519 49	4,519 49
Belfast....	8,751 68	29,466 62	38,218 35	St. Mary's.....	....	2,691 06	2,691 06
Waldoborough..	13,006 13	39,988 78	52,997 29	<i>D. of Columbia.</i>			
Wiscasset.....	4,792 70	8,676 86	13,469 61	Georgetown....	2,189 52	7,775 11	9,964 63
Bath.....	32,692 07	21,343 54	64,035 61	Alexandria.....	7,691 60	6,779 15	14,470 75
Portland.....	36,808 25	19,327 08	56,135 28	<i>Virginia.</i>			
Saco.....	1,291 79	6,066 65	3,358 49	Norfolk.....	7,400 02	11,679 88	19,079 90
Kennebunk....	3,422 08	3,710 85	7,132 93	Petersburg.....	1,784 32	2,194 17	3,978 49
York.....	....	1,200 16	1,200 16	Richmond.....	3,515 13	3,396 24	6,911 37
<i>N. Hampshire.</i>				Yorktown.....	....	1,512 68	1,512 68
Portsmouth....	17,666 38	9,709 26	27,375 64	East River.....	....	5,550 11	5,550 11
<i>Massachusetts.</i>				Tappahannock..	634 56	3,957 32	4,591 88
Newburyport...	14,591 73	9,373 34	23,965 12	Folly Landing..	49 13	4,653 79	4,702 92
Ipswich.....	....	3,739 65	3,739 65	Yecomico.....	....	3,387 82	3,387 82
Gloucester.....	2,301 82	14,770 45	17,072 32	Cherry Stone...	122 56	1,852 18	1,974 74
Salem.....	22,619 58	14,401 26	37,020 84	Wheeling.....	....	2,460 40	2,460 40
Marblehead....	2,918 83	9,559 65	12,478 53	<i>N. Carolina.</i>			
Boston.....	149,186 03	71,057 31	220,243 34	Wilmington....	10,960 41	7,272 48	18,232 89
Plymouth.....	12,479 30	15,025 08	27,504 38	Newbern.....	2,357 84	1,420 40	3,778 29
Fall River.....	1,583 75	7,232 15	8,815 90	Washington....	2,588 30	2,813 46	5,401 76
New Bedford...	45,708 33	43,381 03	89,089 36	Edenton.....	....	....	....
Barnstable.....	3,617 91	52,938 46	56,556 42	Camden.....	674 03	7,454 03	7,728 08
Edgartown.....	5,114 50	3,016 04	8,130 54	Beaufort.....	117 92	1,856 41	1,974 38
Nantucket.....	23,730 61	8,185 09	31,915 70	Plymouth.....	961 83	1,355 41	2,317 29
<i>Rhode Island.</i>				Ocracoke.....	1,503 42	1,618 23	3,121 65
Providence.....	11,062 46	5,547 91	16,610 42	<i>S. Carolina.</i>			
Bristol.....	8,893 58	6,996 52	15,890 15	Charleston.....	15,794 49	13,456 03	29,250 52
Newport.....	5,529 07	5,395 11	10,924 18	Georgetown....	1,649 58	2,766 18	4,415 76
<i>Connecticut.</i>				Beaufort.....	....	....	....
Middletown....	942 28	13,288 61	14,230 89	<i>Georgia.</i>			
New London...	17,809 38	27,012 83	44,822 26	Savannah.....	10,521 80	7,408 53	17,930 38
New Haven....	4,454 19	7,046 60	11,500 79	Sunbury.....	....	....	....
Fairfield.....	428 43	15,965 90	16,394 38	Brunswick.....	661 07	833 84	1,494 91
<i>Vermont.</i>				Hardwick.....	....	....	....
Vermont.....	....	4,342 30	4,342 30	St. Mary's.....	1,489 32	1,265 03	2,754 35
<i>New York.</i>				<i>Ohio.</i>			
Champlain.....	....	1,477 39	1,477 39	Cuyahoga.....	....	9,514 55	9,514 55
Sackett's Harbor.	....	3,637 28	3,637 28	Sandusky.....	....	2,643 06	2,643 06
Oswego.....	....	8,346 58	8,346 58	Cincinnati.....	....	12,052 27	12,052 27
Niagara.....	....	230 89	230 89	Miami.....	....	2,232 09	2,232 09
Genesee.....	....	471 24	471 24	<i>Tennessee.</i>			
Oswegatchie....	....	999 35	999 35	Nashville.....	....	4,733 36	4,733 36
Buffalo Creek..	....	4,916 00	4,916 00	<i>Kentucky.</i>			
Sag Harbor....	7,821 71	12,583 86	20,405 62	Louisville.....	....	1,591 86	1,591 86
New York.....	203,536 68	211,281 36	414,817 44	<i>Missouri.</i>			
Cape Vincent...	....	116 82	116 82	St. Louis.....	....	11,259 00	11,259 00
<i>New Jersey.</i>				<i>Michigan.</i>			
Perth Amboy...	672 29	17,171 21	17,843 50	Detroit.....	....	11,432 39	11,432 39
Bridgetown....	....	14,171 93	14,171 93	Michilimackinac	....	470 04	470 04
Camden.....	....	8,201 28	8,201 28	<i>Alabama.</i>			
Newark.....	774 53	5,912 51	6,687 09	Mobile.....	8,696 78	8,546 89	17,243 72
Burlington.....	....	3,851 94	3,851 94	Pearl River.....	....	....	....
Little Egg Har..	....	4,795 74	4,795 74	<i>Louisiana.</i>			
Great Egg Har..	....	16,364 40	16,364 40	New Orleans...	49,075 74	77,537 01	126,612 75
<i>Pennsylvania.</i>				Teche.....	....	....	....
Philadelphia....	52,268 46	51,675 71	103,944 22	<i>Florida.</i>			
Presqu' isle....	....	3,369 05	3,369 05	Pensacola.....	929 88	1,992 09	2,922 02
Pittsburg.....	....	12,000 00	12,000 00	St. Augustine...	....	....	....
<i>Delaware.</i>				Appalachicola..	1,291 67	2,762 54	4,054 26
Wilmington....	644 34	15,466 34	16,110 68	St. Marks.....	....	....	....
New Castle....	....	3,661 02	3,661 02	Key West.....	1,977 55	1,497 25	3,474 80
<i>Maryland.</i>							
Baltimore.....	34,768 01	41,254 11	76,022 12	Total.....	899,764 76	1,280,999 35	2,180,764 16

## Report on the Bankrupt Law.

*To the Charleston Chamber of Commerce.*

CHARLESTON, 24th November, 1841.

At an adjourned meeting of this Chamber, held this evening, the committee to whom had been referred the consideration of the various provisions of the Bankrupt Law, passed at the last session of Congress, submitted the following report, with a memorial, which, on motion made and seconded, were adopted by the Chamber, and it was

Resolved, That the report and memorial be forwarded to one of the Senators in Congress from this State, and to the Representative in Congress of this District; and that the report be published in the daily papers.

It was also Resolved, That the report and memorial be printed in pamphlet form, and that copies thereof be forwarded to the different *Chambers of Commerce* throughout the United States.

S. CHADWICK, Vice President,  
and President pro tem.

ATTEST,

WILLIAM B. HERIOT, Secretary.

The following is the report adopted by the Chamber, with its accompanying memorial.

The committee to whom was referred the consideration of the Act of Congress, entitled "An Act to establish a uniform System of Bankruptcy throughout the United States," approved the 19th of August, 1841, beg leave to submit the following

### REPORT.

Your committee have brought to the consideration of the subject, the most profound respect for those honorable feelings of sympathy for a large and unfortunate class of the community, by which the great mass of those who desire a Bankrupt Law, have doubtless been influenced. They believe it would be a great national blessing; if the immense number of insolvent debtors who fell victims to the financial and commercial reverses of the last four years, could be suddenly and simultaneously restored, as projected by the law, to their former condition of effective co-laborers in the great work of promoting, by commercial industry, the prosperity of our common country. But notwithstanding this strong claim to their favorable consideration, the full force of which they do not scruple to acknowledge, they have been irresistibly brought to the conclusion, that as a means to the accomplishment of this desirable end, the Bankrupt Bill is fraught with evils of a more dangerous character, and of far greater magnitude. If we were to discard all other considerations, and confine our views simply to the expediency of such a law at the present time, a review of the condition of the monetary concerns of the country, would be sufficient to condemn it. The tremendous revulsion that took place in the currency of Great Britain in 1836, and the reverses that followed in this country, both in the monetary and commercial classes, among corporations and individuals, have continued in successive shocks down to the present time; the currency of Great Britain has been reduced in the matter of coin and bank notes alone, full 40 millions of dollars; and in this country, we find by the report of the Treasury department, that the loans, circulation and deposits, of the banks, have diminished 162 millions of dollars. Cotton, our most available means, indeed we may say, almost the exclusive medium of paying our foreign debt, has been reduced in value nearly 50 per cent.; property of every description has been depreciated in almost an equal ratio, and securities that were favorably supposed to be of the most solid character, and known from the experience of years to be of the most ready convertibility, have either lost their entire value, or become wholly unconvertible. In this state of unparallel-

ed depression, the least propitious for enforcing the collection of debts or the sale of property, it is proposed under this law, to bring into immediate liquidation under the orders of the Court, the affairs of all the insolvent debtors of the country. It is impossible to ascertain what the aggregate value of the property may be, that will thus be brought at once upon the market; but when the great number of persons who have been involved in difficulty by the reverses of 1837 and 1839, is considered, we must assign an immense sum as the probable value of their effects. If left to the gradual liquidation, and wise and humane compromises of a people, naturally sagacious in discovering and availing themselves of the readiest means of escaping from difficulty—full of resources and of indomitable energy—may we not hope and believe that our present embarrassments will be got over with the least possible suffering to the debtors, and the least possible loss to their creditors. The immense sacrifices that would result from the operation of the law, none can question; there is an accumulation of insolvency that would be brought to a head in a day; the property of the bankrupts would all be thrown upon the market at once, and many who are now solvent in view of the estimated value of property and debts, would be rendered bankrupts by the ruinous depreciation and loss that would ensue. For it is not the property of declared insolvents alone that will be brought upon the market; every judgment creditor, many of whom, under other circumstances, would have been wise and forbearing creditors, will be forced to bring the property of his debtor to the Sheriff's hammer before the 1st of February next. For in the midst of such ruinous depreciation, who will know that his debtor is solvent? And if not solvent, what is a judgment worth under this law? Our most able lawyers are at variance on this point; and while some maintain that only dormant judgments, and judgments without execution against personal property, are annulled by the Act, others contend that all judgments are set aside, and every judgment creditor, not proving before the Court, excluded from even a *pro rata* share in the property upon which he was supposed to hold a lien. Your committee are persuaded that this is not the case, but that where a judgment upon real estate exists, or a judgment and execution upon personal property, that the legal lien is preserved under the Act; but it will be manifest to all, that the very uncertainty that prevails as to the operation of the law in this respect, must lead to a precipitate sale of all property now under judgment, where the creditor is not entirely satisfied, that his debtor is far beyond the contingency of bankruptcy. It is difficult to conceive a scene of more wide-spread ruin and dismay, than this view of the subject presents, and your committee feel persuaded that these considerations alone, are of themselves sufficient to justify an appeal to Congress to re-consider the Act.

This however is but a single aspect, of the subject, and relates solely to the expediency of the present application of the Act; but there are other reflections connected with the subject, of more lasting importance than the temporary evil of its present, instead of its future application.

The bankrupt laws of other countries, are but a modification of the immense power possessed and exercised in more barbarous ages, by the creditor over the debtor; modified and systematized, it is admitted, in a wise and humane manner for the debtor, but still preserving throughout, the distinctive features of a system originating in, and intended to protect and preserve, the right of creditors, and enforce the obligation of contracts. The Bankrupt Laws of France place the creditor under arrest within three days after protest, and his store or counting-house, all his books, papers and effects, are placed under seal: these are all precautions intended for the security of the creditor; to obtain his discharge, it is necessary that at least three-fourths of his creditors, in number and interest, shall agree to it. If it is a case of simple bankruptcy, caused by neglect or imprudence, the bankrupt may be punished by imprisonment at the discretion of the Court, not exceeding two years; but if it is a case of fraudulent bankruptcy, the delinquent is put to hard labor for a term of years.

In England, the features of the Bankrupt Laws are equal-

ly indicative of their origin. If the bankrupt does not show himself from time to time to be examined on oath, or if he embezzle or conceal property to the value of £10, or the papers relating thereto, he may be convicted of felony and transported for life; four-fifths in number and value of his creditors must agree to his discharge; and if he has lost by gambling within twelve months, £200, or £20 in any one day, or lost £200 by stock-jobbing, he cannot get a discharge.

These characteristic features show conclusively the origin and design of the system; and it is a grave question, whether the framers of the Constitution, in view of this system, and sticklers as they were for the sacred obligation of contracts, could ever have intended, under the authority given to Congress to pass uniform laws on the subject of bankruptcy, to clothe them with the power claimed in this Act—a power to abrogate pre-existing contracts; discharge, with or without consideration, debts due and payable before the Act; and cancel the judgments obtained before the law existed. A power so appalling, and levelled at a right so sacred, that the very instrument under which the power is claimed denied its possession to the States that framed it.

It is true that we are not a school of political doctors that are called upon to examine the constitutionality of laws passed by the general Congress, but surely it cannot be matter of indifference to this or any other body of citizens whether that sacred instrument of our liberties and charter of our rights is violated or not. If we consider the time and circumstances in which this system became a law, we shall find cause to doubt whether it was such a system as the framers of the Constitution intended for the country. They were not a Congress of bankrupts, or the representatives of bankrupts, providing a means for the debtor to escape from his contracts; they were wise, calm, and patriotic statesmen, who, in view of the bankrupt systems we have reviewed designed the adoption of a general and fixed system under which the obligation of contracts would be fully recognized and the rights of creditors protected—a system under which the property that rightfully belonged to the confiding creditor would be taken out of the hands of the unfortunate, imprudent, or dishonest debtor, and restored to its rightful owner—a system under which misfortune, it is true, would be relieved, but under which dishonesty would meet with its condign punishment. Now, however, much may be said in praise of the expediency of such a system, at the time the right was conferred upon Congress, and before any other had grown up out of the neglect of Congress to exercise the right thus conferred upon them, a great deal more may be said against it now that half a century has been allowed to pass without it.\* A complicated system has grown up in the meantime, composed in part of common law precedents, in part of United States Laws, and in part of the legislative enactments of the States. Protracted suits, adjourned from year to year through the devices of the law, and carried by appeal from court to court, attended with delay, disappointment, vexation, and expense to the honest and ill-used creditor, will result in a tardy judgment just in time to be swept into nothingness by the Bankrupt Law. This will be one among the many evils it will herald forth to the country; but we will no longer multiply evidences of its inexpediency. We express the conviction that the Act was passed under circumstances that go far to show that it is not the system that was intended by the framers of the Constitution; its adoption was preceded by two great commercial revulsions that involved hundreds of thousands in bankruptcy; merchants, bankers, brokers, stock-jobbers and land speculators—these, suffering the painful consequences of their reverses and impelled by the single motive of freeing themselves from their embarrassments, may rightfully be regarded as the real authors of the act. Let us try the truth of this conclusion by the provisions of the act itself, and ask ourselves whether it is wise and prudent to accept the legislation of men in

such desperate circumstances; a legislation not the offspring of wise and cautious deliberation, but of impetuous and anxious zeal; not intended to guard the rights of property, to vindicate the sacred obligations of contracts, and punish fraud; but to open a door of escape for the unfortunate from the consequences of past calamities, and too often of reckless and unprincipled speculations.

Let us look to the act itself for the truth of these animadversions. If an insolvent debtor chooses to avail himself of the benefit of the act to obtain a discharge from his creditors, he may do so, without reference to the amount of his debts, and upon his simple petition to the court; but if the creditor thinks it necessary to *his* security to declare his debtor a bankrupt, he cannot do so unless the sum due him amount to five hundred dollars, or others unite with him so that their joint claims shall amount to five hundred dollars; and unless his debtor owe other debts amounting in all to two thousand dollars; and then only in case he depart the State, and *depart with intent to defraud his creditors*; or conceal himself to avoid being arrested, or shall *fraudulently* cause himself to be arrested; or his goods, lands, &c. to be attached, distrained, sequestered, or taken in execution; or shall remove or conceal his goods, &c., or make a fraudulent conveyance, assignment, transfer, &c. And then after all the advantages, delays, and chances of the existing laws, and all the privileges here enumerated superadded to the others, he may demand a trial by jury besides to decide whether he has committed an act of bankruptcy or not! Thus far it is clear all the advantages of the act are on the side of the debtor. It is true that after this all preferences are void; all transfers of property *in view* of bankruptcy, void; except to a *bona fide* creditor without notice of bankruptcy, and *provided* that these dealings be *two months* before bankruptcy. Now is this not a mockery? What prevents a debtor from making a preferred creditor under such ingenious arrangements, to suit his convenience; he must make his election two months before bankruptcy; the favored creditor must be a *bona fide* creditor, and must not be told by his debtor that he settles with him because he expects to fail. These are the terms of the law, and it must certainly be admitted that they are easily complied with. A proper attention to these requisites, and a surrender of the remainder of his estate, will entitle the bankrupt to a full discharge, not with the concurrence of three-fourths or four-fifths of his creditors, as we have seen is the case with other bankrupt laws, but with the assent of a fraction more than one-fourth; that is, unless three-fourths refuse to concur; no, not three-fourths of all the creditors, but three-fourths of those who have *proven their debts*. And even then the creditor may demand a trial by jury. Where are the rights of the creditor in all this? Where is his right to demand that his debtor be tried by a jury? The act says that the debtor's certificate shall be a full and complete discharge of all debts, contracts, and engagements, and a complete bar to all suits. And what punishment is provided in cases of fraud, for which hard labor or transportation for life have been deemed the appropriate rewards in other countries? These are the humane provisions of the act; in case of fraud, wilful concealment of property, or rights of property; preferences contrary to the act; omissions or refusals to comply with the orders of the court; not conforming to the act; admitting false or fictitious debts against the estate; not keeping proper sets of books; applying trust funds to the bankrupt's own use; in all these cases the bankrupt *shall not get a discharge*; this is the punishment.\* Is this not a mockery of justice?

If there are still any lingering doubts that the advantages of the act are exclusively with the debtor, and the creditor placed by it in a worse position than he occupied before, the following considerations, we think, will dispel them alto-

\* We take no notice of the transitory existence of the Bankrupt Law of the year 1800. Every argument, however, that could be drawn from our short experience then, would go to condemn the act under consideration.

\* It is true that the act provides that bankrupts falsifying themselves before the court shall be "deemed guilty of perjury and punishable therefor in the manner and to the extent provided by law for other cases;" but this can hardly be deemed a punishment provided by the act, even if it were probable that it would ever overtake the fraudulent bankrupt.

gether; that while *all* debtors, without regard to occupation, mechanics, farmers, &c. may take the benefit of the act if they choose, the mercantile classes\* alone are liable to be made bankrupts against their will, and at the discretion of their creditors. Now the mercantile classes being the chief creditors at all times, their debtors may at any time take the benefit of the act as against the merchants, but the latter can never force *them* into the Bankrupt Court as long as they choose to hold out. Indeed, the rights of married women being carefully preserved under the act, the Bankrupt Court will be to many but a convenient method of relieving themselves from the embarrassment of debts incurred as is too often the case for the purpose of adding to the value of property held in trust for wives and children.

Banks, and other corporations, are in like manner exempted from the Act, and may, like the farmer, and others, throw the merchant into the Bankrupt Court, while their own affairs are in a state of insolvency; and that, too, after aiding perhaps to ruin the merchant by the depreciation of an irredeemable currency.

There are other considerations of a more enlarged character, to which your committee have not yet alluded. During the recent embarrassed condition of the finances of this country, growing out of the financial troubles to which we have alluded, immense amounts became involved in suspended debts under contracts entered into at a period when a bankrupt law was not in existence, nor even in contemplation in the United States. What justice is there in now passing new laws to regulate the settlement of these contracts? It is well known that in our rising and prosperous country, with our active, thrifty, and enterprising population, *credit* is not accorded to the possession of property alone. The industrious, the prudent, and the enterprising obtain credit, and incur debts, upon the avowed basis of the sure profits of industry alone without capital. To these the law opens a wide door of escape, and offers a tempting bribe to a treacherous and dishonorable refusal to fulfil the implied contract, to earn by their industry, and restore the borrowed capital. Many cases have occurred in which contracts of this character have been violated by debtors in the most flagrant manner; instances will readily occur to every man in trade, of those hopelessly involved in debt, making extensive purchases of goods, and after appropriating their new purchases to the payment of old debts to favored creditors, declaring themselves to be bankrupt. To such delinquents as these, regardless of the moral turpitude involved, the law offers a complete absolution. Their assets may not amount to one dollar on a hundred dollars; they may have made the most unjust preferences but two months before the act of bankruptcy; the fiat of the court discharges them from all unsatisfied contracts, and thereby loosens the bonds of mutual confidence and of commercial credit. There is thus no protection against undue preferences; no discouragement to reckless or unprincipled speculation; but on the contrary, a ready and honorable means of escaping from their consequences. There is no protection scarcely for the creditor, except in cases of actual fraud; these will hardly ever be imputed, and where they are alleged to have existed, it will be impossible in most cases to prove them, as retailers and others are exonerated by the act from keeping regular sets of books. It would seem therefore almost an inevitable consequence of the operation of the act, to drive out of business all that numerous class of industrious, thrifty, and enterprising dealers, who with little or no capital, are busily and usefully engaged in advancing the prosperity of the country, by diffusing over its vast surface the necessities and comforts of civilized life. The capitalist will no longer be safe in giving credit to any but those possessed of property or other capital; and the prosperity of the country must languish under a system that seems so well calculated to make the rich richer, and the poor poorer.

Your committee, influenced by these considerations, are fully persuaded that the act under consideration is inexpe-

\* Merchants, or using the trade of merchandise, retailers of merchandise, bankers, factors, underwriters and marine insurers.

dient, unequal in its operation, subversive of the morals of the people, and that it will prove in its effects injurious to the best interests of the country.

They recommended that the following Memorial to Congress be adopted by the Chamber.

G. A. TRENHOLM, Chairman.

#### MEMORIAL.

The Memorial of the Chamber of Commerce of the City of Charleston, South Carolina, to the Senate and House of Representatives of the United States, in Congress assembled, respectfully represents,

That your Memorialists, Merchants, and others deeply interested in the commercial prosperity and reputation of the country, have viewed with alarm the passage of the act, entitled "An Act to establish a Uniform System of Bankruptcy throughout the United States," approved the 19th of August, 1841. They have carefully examined the provisions of the said Act, and anxiously considered its probable effects upon the prosperity and morals of the people, and have arrived at a settled conviction that the law is in itself inexpedient and unjust; that it will prove unequal in its operation, prejudicial to the morals of the people, and subversive of the returning prosperity of the country.

Under the influence of these convictions, a deep sense of the importance of which dictates this appeal, they earnestly pray that Congress will take into immediate consideration the propriety and expediency of at once repealing the said Act and relieve the country from the apprehensions created by its impending operation.

#### Lead Mine.

The lead mine discovered near this place, is not as some suppose, one of the humbugs of the day. Several miners have been engaged for the last six months, in driving gangways and making other excavations. During that time they have taken out about one hundred tons of good ore. We were informed by one of the miners that they have now extended the gangway almost two hundred feet in the hill, and that the vein of ore presents a breast of about five and a half feet. There are, in all, eight veins, imbedded in compact limestone. These veins are plainly visible, cropping out, as the miners term it, on the top of the hill, ranging from five to twenty feet apart. The workmen say that two hands can take out about fifty tons of ore per month. This ore, we understand, has been analysed in New York and Philadelphia, and found to yield from 60 to 80 per cent., depending upon the quality of the specimens tested. We have seen bullets cast from it, by smelting some of the ore in an iron ladle, over a common smith's fire. Those interested in the work, intend to put up a smelting furnace early in the spring, when the whole matter will be fully and fairly tested.

[*Sunbury American*.]

#### Brick Making in St. Louis.

The New Era says, the number of bricks made in St. Louis in 1841, are estimated at 30,000,000, and that about two millions more will be made at the close of the season.—The lowest price at which sales have been made is \$5 per 1000, and early in the season they brought \$7 to \$8, and \$8 50 is assumed as a fair price of these in the wall. It is estimated in that paper, that there has been paid this season for brick in the wall \$1,275,000.

#### The Erie Canal.

The Canal closed earlier this year than usual, as will be seen from the following memoranda.

In 1824 it closed December 4th; 1825, Dec. 5th; 1826, Dec. 18th; 1827, Dec. 18th; 1828, Dec. 20th; 1829, Dec. 17th; 1830, Dec. 17th; 1831, Dec. 1st; 1832, Dec. 21st; 1833, Dec. 12th; 1834, Dec. 12th; 1835, Nov. 30th; 1836, Nov. 26th; 1837, Dec. 9th; 1838, Nov. 25th; 1839, Dec. 16th; 1840, about Dec. 1st; 1841, Nov. 28th.



Fluctuations of Stocks at Philadelphia in 1841.

On page 79 Vol. IV., we published a table of the monthly prices at which various stocks were sold in Philadelphia, and the monthly average price of Bank United States stock for 1840—and on pages 191 and 192, the daily sales of stocks in February 1841;—also the prices of Pennsylvania loans, 1835 to 1840. We now add a table of the actual cash sales of various loans, bank and improvement stocks, on or about the 1st of each month of 1841, for which we are indebted to the joint labors of two friends, and which presents a most melancholy change for the worse, from what at the former periods alluded to was deemed bad enough.

On Vol. IV, page 61, is a table of the fluctuations of New York in 1840. Cannot some of our New York friends furnish a table similar to the one now published for 1841?

NAMES OF STOCKS.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.
<i>Loans.</i>												
Pennsylvania 6 per cents. ....	....	98	....	....	98	....	....	....	92	87½	85	75
do 5 " .....	92	86	76	75	81	81	81	79½	80	78	73	60
Philadelphia city 6 per cents. ....	105	105	....	105	....	....	106½	106	106	107	108	110
do do 5 " .....	100	100½	100	100	97	....	....	99	98	100	100	100½
Schuylkill Navigation Co. 6 per cents.	....	....	....	....	....	....	....	....	....	....	....	86
do do do 5 " .....	....	....	....	86	....	....	80	....	70	....	70	78
Lehigh Coal and Nav. 6 p. cts., 1845	86	74	64	68½	64	65	63	61	60	50	55	50
Wilmington Railroad 6 " 1842	97	92	87	....	93½	....	90	90½	90½	90	90	83
do do 1844	92	87	80	80	87	88	87	83½	83½	82	78½	78
<i>Bank Stocks.</i>												
United States .....	64½	50½	18	20	16½	23	18½	17	11	6	3¾	4
North America .....	....	370	350	310	316	....	302	305	310	310	292	280
Pennsylvania .....	408	395	....	300	300	300	....	290	280	245	210	210
Philadelphia .....	100	92	77	75	76½	....	66	78	78	70	60	61
Farmers and Mechanics .....	55	50½	44	45	45	43	43	44	45	44	....	34
Commercial .....	54	50	45	46	45	46	....	44	46	46	....	40
Northern Liberties .....	42	40	....	....	40	....	35	....	40	....	....	35
Mechanics .....	35	34	29	26½	27	28¾	27	27	26	55	22	19½
Southwark .....	52	50	....	....	52	....	....	....	....	....	45	48
Kensington .....	51	....	45	....	42	....	....	....	43	40	44	....
Penn Township .....	52	....	49	45	44½	....	43	....	42	45	45	38
Girard .....	36	32½	28	28½	28¾	30	27	27½	28½	24½	25	17¾
<i>Improvement Stocks.</i>												
Phila., Wil. and Baltimore Railroad..	44	37½	32	33½	37½	39	36	35	33	31	30	28
Phila. and Reading Railroad .....	23	18	18	18	19	21½	26	27½	25	24	25	28½
Camden and Amboy Railroad .....	104	95	85	88	87	88	....	85	83	....	77	81
Lehigh Coal and Navigation Co. ....	36½	21	20	19½	....	20	19	16	15	15	15	10
Schuylkill Navigation Co. ....	78	60	59	65	63	61½	51	53	48½	48	47½	45
Exchange on New York .....	¾ prm.	⅛	3¾	3½	3⅝	4¼	3¼	3¼	2¾	2½	3¾	5½

Western Relics.

At Atzalan, the ancient city of Wisconsin, we learn from the Wisconsin Inquirer, that some workmen, engaged in quarrying limestone, found, at the depth of five or six feet from the surface of the earth, and three or four feet below the upper stratum of rock, a human thigh bone, which was, with the exception of one end, completely embedded in the solid limestone rock, the formation of the stone to all appearance having been around the bone.

This is one more of the numerous testimonials that are daily brought to light, that go to prove the former settlement of the distant west. The burnt brick structure in the vicinity of Atzalan, reaching to a very great extent, is a most interesting memorial of by-gone times.—*Balt. Clipper.*

Silk Convention.

A convention of silk growers was held at Northampton, Mass. on 10th ult. Letters were read from the most extensive growers in different sections of the country, eliciting much valuable information. The convention passed a resolution recommending the culture of silk to the officers in

charge of the State Prison, and the continuation of the bounty by the Legislatures. A committee was also appointed to call another meeting at such place as they thought proper, to be called the New England Silk Convention.

A Curiosity.

The greatest curiosity in the world is now exhibiting in this town, in the person of James Washburn, the wonderful Dwarf, decidedly the smallest man in creation ! He is in his 17th year, weighs but 23 lbs. and is only 36 inches in height ! He is in good health, has fine sparkling eyes, is active, intelligent, in short a perfect man in miniature. He is said to have been born in Vermont, and ceased growing at an early period without any assignable cause.—*Mass. Spy.*

The climate of Charleston S. C.

As an instance of the mildness of the climate of the city, as compared with that of the country, where vegetation was destroyed by the black frost of the 25th October, we mention that we gathered a mess of green corn from our garden, on the 6th December, and that we now have the sun-flower in bloom, in the open air.—*Charleston Courier.*

## INAUGURAL ADDRESS

*Of Benjamin Fitzpatrick, on being sworn into office as Governor of Alabama, delivered Nov. 22, 1841.*

Gentlemen of the Senate and of the

House of Representatives:

With a feeling of unaffected gratitude for the confidence which a majority of my fellow-citizens have reposed in me, by electing me to the responsible office of the Chief Executive Magistrate of the State, and with a settled determination to requite that confidence, as far as I can, by an assiduous devotion of my feeble abilities to the public service, I present myself before you to incur the solemn obligations enjoined by the Constitution, and to assume the high and responsible duties assigned me.

In accordance with a custom, proper on such occasions, I avail myself of the present opportunity publicly to avow my opinions on some of the leading questions of State and Federal policy which have so long, and are destined still longer, to divide the public mind.

### *State Rights.*

To the State governments belong the preservation of much of the larger class of individual rights, immediately appertaining to the security of life, liberty and property, but the extent to which even these rights are affected, by the constitutional action of the Federal Government, and the still greater extent to which they are involved by the unauthorized assumptions of Federal power, would seem to require upon such questions, the most open and frank avowal of sentiments, from every important depository of public trust, even in the State governments. That agent of State authority is but little to be trusted, who is willing to compromise the individual rights of the citizen, or that aggregation of individual right which attaches to the State as a sovereign member of the confederacy, to a theory of the Constitution, concedes to the Federal Government powers not only *undelegated*, but which, by the terms of the instrument, are *expressly reserved* to the States respectively, or to the people. I hold, that neither the States in their united capacity, nor does Congress possess any inherent power or original existence as a body politic. That the Constitution is a compact between the several States, in their sovereign capacity as States—that the Federal Government is the creature of that compact, possessing no other powers than such as are expressly conferred, or such as are *necessary and proper*, to carry into effect some previously granted power.

### *Omnipotence of the Federal Government.*

Those who assert the omnipotence of the Federal Government, so far as to dispute the right of the States, through any or all of its functionaries, to examine, discuss, or in any manner, to scrutinize the authority of the Federal Government, must forget that the first step to ascertain the limits of State power is, to know to what extent that power originally belonging to them as sovereigns, has been delegated to the Federal Government, and that in questions of disputed power, to yield to that government the exclusive prerogative of judging of its own powers, and, as a consequence, to fix the limits of State power, is at once to annihilate the State governments, by making the creature supreme and controlling over its creators. Believing, therefore, that the States are the only counterpoise under our system to the consolidating tendency of Federal authority, and that to their jealous scrutiny we can alone look for confining the Federal Government, within the limits prescribed by the Constitution, I should have been false to the high trust to which I have been called, and to my long cherished convictions, not to have thus publicly, taken the earliest occasion to avow the opinion, that the first step in sustaining the sovereign rights of the States, and the liberties of the people, is to check the already overgrown power of the Federal Government.

### *Distribution of the proceeds of the Public Lands.*

The present time is pregnant with admonitions. The distribution of the nett proceeds of the public lands, is but an attempt to buy up the States, and to make them stipendiaries of the Federal Government, under a fund wrung from the labor of their own citizens, under the flagitious assumption, that the power to distribute does not involve the necessity of taxation to an equivalent amount. He must be blind to the nature of human action, who does not see in this scheme of distributing a portion of the public revenue, an artfully devised plan of assuming, to that extent, the State debts, throwing the whole burden of supporting the Federal Government, upon impost duties, and of reviving again an unconstitutional protective tariff. In principle, it is liable to all the constitutional objections of appropriating Federal money to the local objects, while in practice it will lead to the greatest profligacy and corruptions in the State governments, by causing them to look to the Federal Government as the great almoner, who at all times stands ready to replenish their wasteful exhausted coffers.

### *United States Bank.*

If to this picture of Federal aggrandizement and State and popular degradation, be added the re-union of bank power in the hideous form of another unconstitutional United States Bank, the advocates of implied and constructive powers will have succeeded in giving the finishing touch to our institutions, by engrafting on them all the usurpations which they have so long and so laboriously struggled to effect. I have adverted to these topics not to increase the acrimony of party divisions, which already exist in the country, but in this distinct form to renew the pledges of my whole life, in opposition to principles which I honestly believe, must end in the destruction of our State governments, and the subversion of our republican institutions.

### *Economy.*

Not presuming in this address, and at this period of the Session to encroach upon the more appropriate duties of the very able and distinguished Chief Magistrate of the State, whose official station I am now about to assume, by making a recommendation of any distinct legislative action, I hope I shall be pardoned for the remark, that, in the practical administration of all governments, economy is one of the highest of public virtues. The essence of modern oppression is taxation.—The measure of popular liberty may be found in the amount of money which is taken from the people to support the government. When the amount is increased beyond the requirements of a rigid economy, the government becomes profligate and oppressive.

I should do injustice, perhaps, to the history of our State Legislation, not to say that, so far, there have been but few, if any, gross and flagrant departures from a becoming economy in the expenditure of the public money by our State Legislature. Perhaps no State in the Union, has, heretofore, found less cause of complaint of actual prodigality, and yet it is a problem of great difficulty to say, to what extent our finances may be embarrassed by the revulsions which have overtaken our State banks and its branches, in common, more or less, with every form of paper credit known to the civilized world.

### *The paper system.*

Whether the paper system will ever recover from these revulsions, begins to be, with many, a matter of serious doubt; certain it is, that no one has yet been able to devise a panacea which will relieve the banks of circulation of their inherent tendency to excess of issues, and the utter hopelessness of the attempt appears to be avowed in the effort, which is now making by a large party in the country, to cure all the evils of banking by the establishment of a great national institution, which shall differ from other institutions, in little else than in its greatest power, to sustain a greater amount of issues. Upon this supposition the inherent evil of paper expansion can be cured only by lending to some one institution the credit and revenues of the Federal Go-

vernment, which so far from restraining will in fact, give it additional powers of expansion. To this reasoning, it is unnecessary for me to say I have never been a convert, nor can I lay claim to the wisdom of suggesting a plan of curing the evils, to which all admit the banking system in all its forms, as heretofore carried on, is so liable. But, if in addition to the evils of an irredeemable currency, we are to be subjected to the still further misfortune of losing a portion of the capital stock of some of the branches, common prudence would suggest the propriety of at least closing such branches. To the extent that the system works well, we should not needlessly abandon it, but to the extent to which it promises, to prolong the evils of a continued suspension of specie payments, and at the same time to lessen our means of preserving the credit of the State, it certainly cannot be too soon abandoned. That these objections to our State banking system, apply with very different force to the different branches, I am fully aware. The returns of the several branches will show great inequality in the prudence with which they have been respectively managed.

#### *Internal Improvement.*

Ardently devoted as I am to a judicious system of State internal improvement, and to a general diffusion of knowledge by common schools, the financial difficulties which threaten the State will probably leave us no other duty connected with those subjects, than a faithful and economical application of existing funds to the purposes for which they were originally intended. No one, I presume, can be so enthusiastic as to propose encouragement to those favorite purposes, by a resort to additional taxes in the face of the financial embarrassments, which we have too much reason to fear will shortly overtake us.

#### *Credit of the State.*

To maintain the credit of the State by a prompt discharge of our State debts as they severally fall due, our great reliance must be on the industry and energy of our population; the elements of productive wealth which are presented in a genial climate, a fertile soil, great natural advantages of inland navigation, and as bountiful a variety of valuable State products as an indulgent Providence has conferred upon any other country. That we may make the best possible application of these natural advantages, is my fervent wish, and shall be the constant object of my most faithful efforts in the public service.

#### **The Fever in New Orleans.**

The New Orleans Bee gives the following comparative table of the mortality in 1839 and 1841. In both years the epidemic commenced its ravages about the beginning of August, but in 1839, it disappeared about a month earlier than this year:

	1841.		1839.	
	Interments.	Of Fever.	Inter.	Of Fever.
1st week	57	5	} 254	153
2d do	80	3		
3d do	103	23		
4th do	146	72	} 387	267
5th do	174	105		
6th do	345	164	172	100
7th do	295	220	137	83
8th do	327	259	96	42
9th do	259	180	95	39
10th do	188	115	67	17
11th do	151	93	00	00
12th do	151	96	00	00
13th do	103	48	00	00
14th do	61	15	00	00
	2337	1398	1460	890

To the mortality of the year must be added 400 interments in the Lafayette cemetery, of persons who had been within the city limits, of which 300 were from the fever—swelling the number of interments to 2737, of which 1698 were from yellow fever.

#### **Expedition of the Message.**

The following is believed to have been the true running time upon the different roads between Washington and New York, not including the detentions in changing from road to road, crossing rivers, &c.

	Hours.	min.
Washington to Baltimore .....	1	10
Baltimore to Philadelphia .....	3	00
Camden to New Brunswick.....	2	18
New Brunswick to Jersey City .....	0	50
Distance 255 miles.....	7	18

Averaging a mile in less than two minutes running time on the roads the whole distance.—*Sun.*

#### **An American Panther.**

An enormous animal of this species was killed in Sidney, a short time since, about seven miles from this place, by a party who were out fox hunting. They came upon and followed his tracks about three miles, when they overtook him in the woods, and fired at him at the distance of about fifteen feet, without any apparent effect; he retreated some fifty rods and stopped; two of the party again approached to within about ten feet, and fired again, when he turned and came at his pursuers with the utmost ferocity; but fortunately a hound which they had with them, seized him behind, and caused him again to retreat a short distance. After firing a dozen rounds of shot and balls, they so disabled him as to allow them to approach and knock him on the head with an axe. He measured  $7\frac{1}{2}$  feet in length, and  $12\frac{1}{2}$  inches round the fore arm, and weighed nearly 200 pounds. He has been exhibited in this town, and is considered the most formidable animal ever taken in our forests. He had not long been in that vicinity, and it is surprising how an animal of this kind could have penetrated into so populous a territory without being sooner discovered, and hunted down.

*Kennebec Journal.*

#### **New Railroad Car.**

Mr. Robert Grant of Baltimore is now exhibiting at the Exchange in that city, a model of a railroad car, the invention of which he claims. The design of the car is to prevent its running off the track, no matter how short the curve, and without diminishing the speed; also to prevent friction, &c. The invention, if it proves to answer, is one of much value.

Isaac Hill in his discourse on the mountains of New England, mentions the following fact:

"I knew a family of sons and daughters born upon the side of Moosehillock which mounts nearly five thousand feet above the ocean, thirteen of whom averaged more than six feet each in height; and this family had repeatedly turned out its 3000 lbs. of maple sugar annually, made at that season when farmers who have no sugar trees are laying upon their oars."

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# HAZARD'S UNITED STATES COMMERCIAL AND STATISTICAL REGISTER.

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## Report of the Secretary of War.

WAR DEPARTMENT, }  
December 1, 1841. }

Sir—The reports of the Major General Commanding the Army, and of the Heads of the different Bureaus, attached to this Department, upon the several subjects committed to its charge, are herewith submitted.

The accuracy of the information, and the fullness of the views thus exhibited will render superfluous any extended observations from one but recently called to the consideration of the various matters so well presented by officers of great experience and acknowledged ability. Such remarks, however, as seem required, will be made in the course of the following statement of the general results derived from these reports.

### *Number of Troops in Service.*

From the general return of the Army, contained in the report of the Major General, commanding in chief, it appears that the whole number of troops in service, is ten thousand six hundred and ninety-four : consisting of seven hundred and twenty-eight commissioned officers, and nine thousand nine hundred and sixty-six non-commissioned officers, musicians, and privates. The aggregate exceeds the number specified in the report of 1840, by one hundred and twenty-four. Of the whole number, nine thousand eight hundred and eighty-two are reported as present, and the residue (eight hundred and twelve) are absent or sick ; of whom four hundred and forty-seven are absent on detached service. To complete the organization of the Army, eighteen hundred and thirty-eight recruits are required.

During the past year the whole number recruited was four thousand nine hundred and twenty-two.

It is gratifying to find that the number of deserters, within the year, as compared with the number enlisted has largely diminished.

The disposition of the troops intended for the protection of our inland frontiers, and for garrisoning the forts on the Atlantic, is given in the report.

The residue of the Army, consisting, at the last returns, of about three thousand five hundred men, but which is now, or will be, reduced soon to three thousand, is employed in the protection of the inhabitants of Florida, and in the offensive operations carried on in that Territory.

### *Indian Wars.*

On the Western frontier, the Indians have been kept from wars among themselves, and from hostile acts against our citizens. With the exception of some depredations alleged to have been committed in Texas by the Caddoes, a tribe, for whose conduct that country is more responsible than we are, the native tribes appear to be quiet, and indicate no disposition to commence aggressions. On the Northern frontier, the presence of the troops has been, doubtless will continue to be, of eminent service in preserving the peaceful relations of the country with the adjacent territories of Great Britain. At the North-east, the small force stationed near the disputed boundary line seems required for the same purpose.

### *Military operations in Florida.*

Within the year, a new aspect has been given to the military operations in Florida. The minuteness and accuracy with which they are detailed in the report of the Commanding General, render any other account of them unnecessary. It would be unjust, however, to withhold the expression of the cordial approbation which is felt by this Department, and, it is believed, by the whole country, of the gallant enterprise, and patient endurance of the troops and their able Commander, Colonel Worth. Overcoming the feelings which a contest with such enemies must produce in the soldiers of a civilized country, and consulting only the high dictates of duty, they have persevered in a contest, which, in the only means of conducting it, more resembles the pursuit of animals, than a warfare with human beings, and in which the triumphs of success are mingled with pity, not far removed from contempt, for an inglorious foe.

The last advices from that quarter confirm the expectations of a speedy and successful result to the campaign. All that high intelligence, devoted zeal, consummate bravery, and irrepressible energy, can contribute to that result, will continue to be exerted by the troops, and their gallant commander, for whom the difficulties of a contest without resemblance in the history of war, seems to have no terrors.

The suggestions, in the same report, of the Commanding General, respecting officers holding appointments, at the same time, both in the line and in the staff, with the right of promotion in each, and respecting the inequality of pay between officers of the same grade, in the different branches of service, are worthy of great consideration, emanating as they do from long experience, the result of intelligent and disinterested observation. And the recommendation of the present General-in-Chief concurring with those of his lamented and distinguished predecessor, in relation to pensions, will doubtless attract the attention of Congress to that subject.

The very moderate increase of two regiments to our Army, recommended in the same report, will unquestionably be received with all the confidence due to any suggestions from such a source. The necessity for such an increase, to man the forts, posts, and fortifications, on our inland and maritime frontiers, will be apparent on a consideration of the plans for the national defence which have been proposed, and wholly or partially adopted. A brief and connected view of those plans seem appropriate and necessary for that purpose, and to a full understanding of those parts of the reports herewith communicated relating to the subject. It is necessary, also, in explanation of the estimates submitted for appropriations to continue and complete the means of protection and defence. In presenting such a view, the occasion will be taken to make such observations as may seem to be required.

### *Defences of the Country.*

The defences of the country may be regarded under three distinct heads. First, for the protection of the western frontier against Indian hostilities. Second, precautions against aggressions from the colonial possessions of foreign powers in our vicinity, at the North. And, third, the defence of our maritime frontier.



### 1. *Line of exterior posts into the Indian Country.*

Under the first head, the plan communicated to the Senate, on the 3d day of January, 1833, in pursuance of a resolution of that body, and recommended by the then Head of this Department, was approved in its general outlines by the board of officers—who reported on the subject in May, 1840, and appears to be well adapted to the purpose. It contemplated a line of exterior posts advanced into the Indian country, beyond the boundary of existing cessions, for the purpose of overawing and repressing hostilities among the Indians, or against our own settlements; and an interior line of posts, as places of refuge in cases of danger or alarm, with depots for arms and supplies. There seems to have been some difference of opinion whether the forts to be established at these posts, should be constructed of wood, so abundantly furnished by the country, or of stone, or other equally indestructible material. From the information which has been received, and from the uniform practice in Indian wars, the better opinion would appear to be, that stockaded forts with log block-houses, would afford sufficient protection against an enemy unprovided with artillery. The rapidity and economy with which they could be erected, in many cases chiefly by the labor of the troops, would give them a decided preference. It is not perceived why the interior line of posts, or as many of them as may be necessary, should not also be used as depots of subsistence and military supplies. Six or eight of the exterior line, and eight interior posts are deemed sufficient. The following are the forts established, which may be considered forming parts of this plan of defence. Fort Jesup, 25 miles south-west from Natchitoches, on the road to Texas; Fort Towson, near the confluence of the Kiamichi and Red rivers, in the Choctaw nation, 325 miles from Fort Jesup, and about 50 miles from the western boundary of Arkansas; Fort Smith, situated on the Arkansas river, partly in Arkansas and partly in the Cherokee nation; Fort Gibson, about 60 miles north-west of Fort Smith, on the Arkansas river, and 207 miles from Fort Towson; Fort Wayne, on the Illinois river, in the Cherokee nation, not far from the western boundary of Arkansas, 60 miles from Fort Gibson; Fort Leavenworth, on the right bank of the Missouri river, 236 miles from Fort Smith; Fort Snelling, at the junction of the St. Peter's with the Mississippi river, 512 miles from Fort Leavenworth; Fort Crawford, 300 miles below Fort Snelling, on the Mississippi river, about 5 miles from the mouth of the Wisconsin; Fort Winnebago, at the portage between the Fox and Wisconsin rivers, about 130 miles from Fort Crawford; Fort Howard, at the head of Green Bay, 115 miles from Fort Winnebago; Fort Mackinac, on the island of Michilimackinac, at the outlet of Lake Michigan; Fort Brady, on the St. Mary's river, at the outlet of Lake Superior; and Fort Gratiot, on the St. Clair river, at the outlet of Lake Huron.

Barracks are in progress at Turkey river, in the Winnebago country, and at Fort Smith; and at Fort Leavenworth extensive barracks have been completed. As the white settlements advance, and the Indians recede, it will be necessary to push these exterior forts further into the Indian country. But it is evident that such a line of posts would not accomplish all the objects which should be had in view in relation to that vast portion of our territory, which extends from the lakes to the Gulf of Mexico. It is in immediate contact with numerous wild and warlike Indians, who are capable of bringing into the field a number of warriors, estimated at from twenty to thirty thousand. From the intercourse which subsists between them and the traders, and emissaries of foreign nations, they may be rendered as formidable as any description of force that could be brought against us. To secure a proper influence over them in peace, and to counteract and control their dispositions in war, to secure our own territory and to protect our traders, it is indispensable that a chain of posts should be established, extending from the Council Bluffs to the mouth of the Columbia river, so as to command the avenues by which the Indians pass from the north to the south; and at the same time maintain a communication with the territories belonging to us on the Pacific.

The present state of our relations with these Indians, and other considerations which will readily suggest themselves, seem to demand prompt attention to these views, and the adoption of the necessary measures to execute them.

### 2. *Defences on the Northern Frontier.*

Second. The defences on the northern frontier will necessarily be of a different character from those already considered, as they must be designed for protection against a powerful enemy, possessing all the means of warfare along a distance of more than two thousand miles. Naval forces on the lakes undoubtedly afford our chief reliance for defence and offence. To furnish them shelter from tempests, the harbors must be enlarged and rendered accessible; and to protect them and their supplies, as well as the property and lives of our citizens from an enemy, those harbors and the most important of the straits and rivers connecting the lakes, should be fortified. The comprehensiveness and able views of the board of officers on this subject, in their report of May, 1840, already mentioned, cannot be strengthened by any remarks from this department.

The omission to make the necessary appropriations, has prevented any thing more than a partial execution of the defence of the northern frontier. Fort Niagara has been reported ready for armament, and a company has been ordered to garrison it. So much has already been done at Fort Oswego, as to justify the belief that, at the end of the season, it will be in a condition for effective service. Under the appropriations made in September last, for the defensive works at Detroit, Buffalo and the outlet of Lake Champlain, means have been taken to select sites for their construction, which will be commenced as soon as the titles to those sites shall be secured.

### 3. *Defence to our Maritime Frontier.*

The third division of our national defence, those relating to our maritime frontier, presents a subject of the deepest interest.

A board of engineers was originated in 1816, and has continued in existence ever since, to which was specially assigned the duty of preparing a general system of defence for the sea-board. It made personal examinations of every harbor on the whole coast (excepting a few in East Florida) accessible to sea-going vessels. While the board was thus employed, settling the general principles of defence and selecting positions, its number was augmented by the addition of officers of the navy, generally two post captains. During a portion of this time the functions of the board were extended to embrace the selection of suitable sites for a great northern and southern naval depot. Reports of progress were made in 1817, 1819, 1820, 1821, 1822, 1823, 1824 and 1825; and at two different times, namely, in 1826 and 1836, a summary report was presented to the Executive, and sent to Congress, describing the system briefly in its application to the several parts of the coast.

The board has been comprised of officers of high rank in the corps of engineers, together with General Bernard, during the thirteen or fourteen years he was in this country.

In pursuance of a resolution of the House of Representatives, of April 9, 1840, a report from this department was made on the 12th day of May in the same year, transmitting one from a board of officers assembled for the purpose of considering the subject, which contains a very full view of the system, in a brief compass, and geographically arranged. It exhibits the various works deemed necessary along the Atlantic coast, and along that of the Gulf of Mexico, and the order of their relative importance, in reference to the time of their construction with estimates of the expenses of each, and of the aggregate cost. The same board, also reported upon another plan of defence submitted by a distinguished military commander, and gave their reasons, at large, why it ought not to be substituted for that already mentioned, which had been presented by the joint commission of naval and military officers.

To the formation of that system, the greatest military talent and experience of the country have been devoted, and it would ill become one whose pretensions to either are so

limited, to attempt a comparison of it with any, or to sustain it by any views of his own. It may be remarked, however, that so far as the judgment of Congress can be gathered from its acts, and so far as an intelligent public opinion has been expressed, they both seem to be decidedly in favor of the system which has been so deliberately considered, and so long matured; and it may now be regarded as the settled policy of the country.

#### *Naval Forces.*

The elements of that system are, first, naval forces; second, fortifications, and third, interior communications.

As to the first, independent of all other considerations, it is supposed that floating batteries of any description that are to remain stationary at the exposed points, cannot be expected, because the aggregate expense of providing and maintaining the large force that would be required for the numerous points on our coast, would be beyond our means.—An inconsiderable force at each point would be wholly inadequate to meet that which might be brought against it; and the defence of a few, only of the most important, would neither answer the expectations of the country, nor fulfil the obligations of the Government. A navy which would carry the war into every sea where the enemy's commerce was to be found, would effectually keep him from our coast, by rendering his presence necessary elsewhere. For the defence of inlets and harbors, whose entrances are shallow, a class of steam vessels, of light draft, would doubtless form a necessary part of our defence, and where the inlets are numerous, such vessels would be indispensable. But where a large number of enemy's ships can find harbors, of easy access, and sufficiently capacious to contain them, they cannot be successfully met by an inferior force; and there is no probability of our competing with several European nations in the magnitude of their naval establishments, the only resource left us, is in fortifying our harbors and roadsteads.

#### *Permanent Fortifications.*

The second element of defence consists, therefore, in permanent fortifications. While they are more effectual for defence, in certain positions, than floating forces, they are less expensive in construction, more durable, and requiring an outlay in repairs utterly insignificant, when compared with the expense of maintaining ships and renewing them.

They are deemed indispensable for the purposes of covering the military and naval depots, and all other public or private establishments, which would invite the enterprise or the cupidity of a foe, and of excluding him from strong positions where his naval superiority might enable him to maintain himself, and from which he might make incursions into the interior, or assail an extensive line of coast.

The positions deemed necessary to be occupied by fortifications along the whole Atlantic coast, from Passamaquoddy Bay to Cape Florida, and along the Gulf, from that cape, to the mouth of the Sabine, were indicated in the report before mentioned, with the reasons for their selection, the extent and nature of the required works, and their expense.

As the execution of all these works could not be simultaneous, the order of succession was regulated by reference to the value of the object to be covered, to the nation, or to an enemy; its exposure by isolation; its accessibility, depending on distance, time, or climate; the means, source, and time of obtaining succor, and finally, the condition of existing defences. The order thus established has been adhered to with a few exceptions, occasioned by different views on the part of Congress. Great progress in the execution of the system has already been made, of which the details are given in the reports of the Ordnance and Engineer Bureaus. Most of the works of primary importance, including the largest and most expensive, are nearly completed. About \$14,000,000 have been expended, and \$9,000,000 more will finish all but those deemed of minor importance, and which may be postponed without risking serious consequences.

More extended remarks upon the system of national defence, but particularly on that part of it depending on fortifications, are rendered unnecessary by an able and comprehensive report on this subject, prepared by my immediate

predecessor, in pursuance of a resolution of the Senate of the third of March, 1841, and which will be transmitted to that body. Concurring, generally, in the views expressed in that report, no addition to their strength could be made by any observations of the undersigned. As the system cannot be abandoned, what has been commenced should be completed, and the works intended for the more remote southern portion of our territory, particularly require attention. Indications are already made, of designs of the worst character against that region, in the event of hostilities from a certain quarter, to which we cannot be insensible. The estimates submitted, with the means on hand, for the completion of the works at Beaufort, and at the mouth of the Cape Fear river, in North Carolina, at Charleston, Savannah and St. Augustine, will furnish adequate defences to those places. In consequence of the delay that will necessarily attend the completion of Fort Calhoun, in Hampton Roads, the effectual defence of that position would require that a strong field-work should be thrown up at Willoughby Point, in the event of hostile appearances; and an appropriation of \$50,000, at this time, for that purpose, would be important, as its application would be suspended until required by circumstances. On the Gulf coast, Pensacola, Mobile Bay and most of the avenues to New Orleans, are fortified. In relation to the fortifications on both these sections of coast, it is believed to be our first duty, as it is certainly the strongest desire of this Department, to place the existing works in a state of perfect efficiency in the shortest possible time; and, to this end such means have been asked, as, without making exorbitant demands upon the treasury, will allow the labor to be carried on vigorously. The winter season is known to be the most favorable to such operations in the latitudes where these works are situated, and it should be improved. Indeed, unless appropriations are made before the month of February, no use can be made of them in those latitudes within a year from the time they are asked. To provide for the points still remaining unprotected, in the event of hostilities being threatened before the system of fortifications is complete, a resort to steam vessels of light draught will be necessary; and, in reference to some of them, where fortifications would not avail, as already indicated, that species of defence will be indispensable.

Five of these in the Gulf of Mexico, and seven on the southern part of the Atlantic coast, are deemed necessary by the Chief Engineer. Their use, however, will be greatly aided by the existence of defended points near at hand, under which the vessels could rendezvous, and which would at the same time protect the harbors for the service of the military and commercial marine. An appropriation of \$50,000 for the commencement of a work, at or near the mouth of Cumberland sound, and a similar sum for a work at or near the outlet of St. Simon's sound, these being the best harbors of that part of the coast within the State of Georgia, would in that point of view, be highly expedient. The security of Mobile Bay, would be greatly promoted by a work on Dauphin or Pelican island, and one at Pas au Heron, and these works would add greatly to the protection of the coast passages along the gulf. An appropriation of 60,000, for these would be judicious. The appropriations now suggested are in addition to the general estimates from this department.

Previous to the commencement of any of the works indicated, a preliminary survey of their positions will be directed; and the propriety of such a direction being now given, is under consideration.

#### *Facility and rapidity of interior communications.*

A third element of great importance in the consideration of the defences of the sea-coast, and of the northern and north western frontiers, consists in the facility and rapidity of interior communications. They are strictly means of defence, and incapable of being perverted to any purpose of conquest; a feature which commends them to every friend of our institutions.

The facility afforded by the ocean to movements for the purposes of attack, is met by a facility of movement on land, furnished by the triumphs of genius and art, in the application of steam-power to land carriage, and in the construc-

tion of lengthened lines of canals. The speed with which troops can be moved, obviates the necessity of embodying large masses of them at any point; and the amount of force required for the defence of any given post would, consequently, be diminished in proportion to the reduction in the time necessary to concentrate it. The whole force along the whole line may be rendered available for the defence of any point in that line; while, without such means of communication, a separate army would be required at each city, harbor or military post, that was to be defended. This may be illustrated by facts within the knowledge of all. Troops may now be brought from New York to the city of Washington in eighteen hours, in a condition requiring little or no repose to fit them for immediate action. And the whole physical force of the populous country between those two points may be concentrated at any intermediate place in a few hours. Were Philadelphia assailed or threatened, a movement of military force from Pittsburg, which but a short time since, would have occupied from twenty to twenty-five days, could now be accomplished in five. Similar illustrations are furnished by various railroads and canals in different parts of the country. And as the great secret of success in war, is supposed to be the ability to oppose the many to the few, it is evident that, in any defensive operations, we shall be able to compete with, and to conquer any probable force that an invading enemy could bring against that portion of our territory which is intersected by these interior communications. Another consequence of no little moment flows from the same cause: the power to defend ourselves with armies of very diminished numerical force, compared with those which have heretofore been necessary in our national conflicts, or those which are usually employed on the European continent.

The facilities afforded by canals and railroads to collect with any desirable expedition, the supplies of an army from a country abounding with them; and to transport them to the proper points, will render large depots unnecessary. An object of attack to an enemy is thus removed, and the consequences of the capture of large collections of munitions of war, or of subsistence, by a hostile force, thus enabled to maintain itself, are obviated.

#### *Expense of Military operations.*

The expense of military operations will be reduced beyond any present means of exact calculation, by the same facilities. During the last war with Great Britain the cost of transportation from New York to Plattsburg, Sackett's Harbor and Buffalo, was from five to twelve dollars per hundred. The present cost to Plattsburg is thirty cents, and to the other points named, sixty cents per hundred. A twelve pounder, which, at the cheapest rate could not have been carried to Buffalo for less than two hundred dollars, may now be transported to the same point, in one-fifth or one-eighth of the time, for twenty-four dollars. In every point of view in which these works can be considered, their cost is so much actually added to the defensive means of the nation, without any expense to the General Government other than the subscriptions it has authorized to a few of them; and it may be affirmed without exaggeration, that the aggregate of saving in any future war in which we may be engaged, in the comparative small amount of military force that will be necessary for defence, and in the cheapness of transportation afforded by railroads and canals now in existence will be equal to the cost of their construction. If, then, the making of these works has been premature or improvident, in reference to the means of the States that undertook them, and has involved them in pecuniary embarrassments, the National Government should not complain of an enterprise that has placed these incalculable advantages in its hands; and, if it cannot relieve, will at least sympathise in the misfortunes which have resulted from such efforts.

#### *Armament of fortifications.*

The report from the Ordnance Office exhibits the measures which have been taken for the armament of fortifications, and the forts which have been wholly or partially armed. This object will be steadily and vigorously pursued, to

the extent of the means provided by Congress. The estimate for that purpose is the amount originally contemplated as being necessary to the completion of the armaments as rapidly as the nature of the service would permit. It is to be hoped that, in view of the great importance of the object, no reduction of the estimate will be made.

#### *Foundry for cannon.*

The attention of Congress has, for the last ten years, been repeatedly invoked to the necessity of a foundry for cannon, belonging to, and under the charge of, the Government; but, from an apprehension of the great expense which it was supposed would be incurred by such an establishment, or from a doubt of its necessity, nothing has yet been done towards its accomplishment. Believing that a plan might be devised on a much more limited scale of expense, which would attain the principal objects in view, the Ordnance Bureau was directed to consider and mature such a plan, and estimate the cost of its execution. The accompanying report (No. 12) from that Bureau presents such a plan, explains the important use which the public service would derive from its adoption, and furnishes estimates of the expense of its execution. Some additional views in its favor are presented in the accompanying letter of the Chief Engineer. I cannot hesitate earnestly to recommend its execution. It is known that there are some hundreds of different kinds of iron produced from our mines, of various qualities, and adapted to different uses. While one species may be valuable for many purposes, it is utterly unfit for others. It is supposed also, that its value may depend much on the kind of fuel used in its fabrication. It is not to be expected that the experiments necessary to determine these and various other matters connected with the manufacture of cannon of the best quality can be made at private expense. Nor, if they were, could such entire reliance be placed on their results as if they had been conducted by disinterested public officers.

Besides, the Government is almost exclusively the purchaser of the article, and has the deepest interest in its quality. It is, therefore, peculiarly its interest as well as duty to assist, by all proper means, the manufacture in the cheapest manner, of the best material. The experience already obtained of the great improvement in our small arms, effected by the operations of the national armories, affords the best guaranty that similar results will attend the employment of similar means in the construction of cannon. As it is not proposed to take the business into the hands of the Government exclusively, but to continue the purchase of cannon from private establishments, the expense of executing the plan will be comparatively unimportant. The foundry may be connected with one of our arsenals, so as to be under the charge of officers already in the public service, by which the cost of its construction and supervision may be essentially diminished. Admonished, as we are, by the efforts of other nations to improve the weapons of destruction, it would seem that no time should be lost in the necessary incipient measures to select and purchase a site for a foundry, on the limited scale suggested, but capable of expansion according to future exigencies; and it is therefore hoped that the sum estimated for that purpose will be appropriated at the coming session of Congress.

#### *Objections to the civil superintendency of the national armories.*

In the report from this department submitted to Congress with the President's message at the last session, the objections to the civil superintendency of the national armories were fully stated, and the propriety of dispensing with such agencies, was forcibly argued. A board of very competent citizens was appointed, on the 19th of August last, to examine the armory at Springfield, and their very able report fully justifies the objections that had been made. It shows, what might indeed have been expected, that the immediate and direct responsibility secured by the employment of the regular officers having charge of every other branch of the military service, was wanting in this, and that it could not be attained so long as a person was employed as super-

intendent who did not feel his obligations to his superior officers. System and regularity, in the hours of labor, are as essential in this as in any other workshop. The 9th section of the act of February 8, 1815, and which section is still in force, places the different public armories under the direction of the Ordnance Department, in order "to ensure system and uniformity in their operations." There were officers of that department who could be spared from other service to take charge of the armories, and they were detailed for that purpose by the head of this Department who immediately preceded the present incumbent. Believing this arrangement in accordance with the spirit of the law, and finding its propriety confirmed by the evidence afforded by the report already mentioned, it has been adhered to. The office of superintendent, therefore, has been left vacant from a consideration of its being not only unnecessary, but positively injurious to the public interest; and because the duties of the place could be better discharged by officers already in the pay of the Government. The abolition of the office is respectfully recommended.

#### *Modification of the law of 1808.*

Attention is respectfully invited to the suggestion in the report of the Ordnance Office, respecting a modification of the law of 1808, in relation to the distribution of small arms to the several States. Great inequalities exist, and great injustice is done to many of the States in the present mode. The recommendations in the report relating to an increase of force in the office, and the regulation of the pay of the clerks, will doubtless receive the consideration to which they are entitled.

The proceedings of the Ordnance Board in revising and amending the armament of the troops, are stated in the report. The advantage already derived from the information acquired by the officers who were sent to Europe has evinced the wisdom of that measure.

#### *The stores of Gunpowder.*

The danger to the populous places in the vicinity of the stores of gunpowder belonging to the Government, and the hazard to which those stores are exposed by such contiguity, suggested the propriety of an inquiry whether a depot for the reserved powder, not wanted for ordinary use, might not be established in some spot where it would be as secure as human art could render it, and where, in case of explosion, the least possible injury would be produced. A board of officers was accordingly appointed to make such inquiry; whose report is herewith submitted, and the adoption of the measures suggested by them is respectfully recommended.

#### *Quartermaster General's Report.*

The Quartermaster General's report exhibits the very extensive operations of that Department during the past year, and the efficiency and energy with which they have been prosecuted. They embrace so much of detail as to preclude an enumeration of them in this paper. The various recommendations which are made by the distinguished officer at the head of that Department will doubtless receive all the consideration which is due to the suggestions of great experience and high military talent. Among those which appear to the undersigned as most deserving immediate attention, are the following:

#### *Military road, &c.*

The recommendations of a military road within our acknowledged limits; to supply subsistence and other stores at Forts Kent and Fairfield, in the State of Maine. Circumstances of a peculiar character seem to demand that no time should be lost in the commencement of this work.

The establishment of a strong fort at Fort Brady, with commodious barracks, commanding the communication with Lake Superior, seems also indispensable.

And a post on the Missouri frontier, south of Fort Leavenworth, is necessary, in connexion with the plan of defence for that portion of our territory.

The propriety of commencing the erection of permanent

works in the keys or on the peninsula of Florida, is strongly presented.

Of the utility of opening and improving some, if not all, the interior communications mentioned in the report, at some time, there probably can be little doubt. Whether that time has arrived will be for the wisdom of Congress to decide.

#### *Delay in the settlement of accounts.*

The delay in the settlement of the accounts of officers alluded to in the same report, is unquestionably a great and growing evil. A report from the Second Auditor has been made, pursuant to a call from this department, by which it appears that there are 1,173 accounts remaining in his office unsettled; of which 10 were presented prior to 1839, 4 in that year, 16 in 1840, and 1,143 in 1841. A similar report from the Third Auditor shows that there are 1,814 accounts in his office unsettled; of which 257 were presented prior to 1839, 373 in that year, 436 in 1840, and 738 in 1841. Whatever may be the cause of this delay, which is believed not to be in any want of efficiency in the Auditors or their clerks, but rather in the increased amount of business, and the more frequent calls for information, its existence is most injurious to the Government, and often ruinous to the individuals concerned. If the remedy is to be found in an increase of force in those offices, there can be no doubt of the necessity of its prompt application.

The change in the mode of accounting for property in the hands of officers, suggested in the same report is earnestly recommended, as equally necessary to the protection of the Government, and the security of its agents. Such a change will do much to diminish the labors of the auditors' offices.

#### *Claims for the subsistence of the troops in Florida.*

The claims for the subsistence of the troops called into service in Florida, in 1839, by the Governor of that Territory, seem to be just. There is a difficulty, however, in directing their payment by this Department, in consequence of the only appropriation on the subject—that made by the act of September 9, 1841—being by its reference to the act of 1836, limited to such militia as were called into service under the authority of the War Department. Although such authority was given for a larger number than was actually raised, yet the troops in question seem not to have been called into service under it, but under an act of the Territorial Legislature, and were not mustered into the service of the United States. The case requires the interposition of Congress, as well to defray the charges for subsistence, as to provide for the pay of the troops; and it is hoped that no objections of a merely technical character will prevent full justice being done to the militia who obeyed the call of the Governor.

#### *Pledge given to the Creeks for their removal.*

The strong appeal made by the Quartermaster General to the justice of the country to redeem the pledge given by him to the Creeks, as a consideration for their removal to the west, and of their raising a regiment of warriors who served faithfully in Florida, cannot be resisted consistently with any regard for those principles which it is the object of our institutions to maintain. Infidelity to our engagements, and a refusal to remunerate faithful service, will not increase either the confidence or respect of the Indians who have relied on our honor. It is to be hoped that the subject will be examined, and full justice rendered by the competent authority.

The progress which has been made in the construction and improvement of the fortifications at the different harbors on the sea-coast will be seen from the report of the Chief Engineer. The means for these purposes having been appropriated at the extra session of Congress, but little time has been given for their employment. Still, it will be seen that the works have been vigorously prosecuted, and that probably more than was contemplated has been accomplished.

#### *Defence of the Harbor of New York.*

It will be seen that some of the most important works for the defence of the harbor of New York cannot be continued, for want of the appropriations that were recommended



the late session. It is of the utmost consequence, to the protection of that city, that prompt and decisive action should be had upon the subject.

The same report shows what has been done toward the completion of the various improvements, and the continuation of roads heretofore undertaken by the Government, and in charge of the Engineer Department. The want of appropriations has arrested these works, and exposed some of them to the inevitable injuries consequent upon their being left in an unfinished state. Every consideration of policy and justice seems to require that these should no longer remain either as memorials of any improvidence in undertaking them, or of an instability of purpose which refuses to prosecute works of unquestionable usefulness. If any of them are of such a character that they ought not to be completed, they should be discontinued directly and unequivocally; and those which are worthy the enterprise of a liberal and paternal Government, should be vigorously prosecuted and finished.

#### *Military Academy at West Point.*

The condition of the Military Academy at West Point is exhibited in the report of the Chief Engineer, and in that of the Board of Visitors selected from the different portions of the United States, to scrutinize all its affairs. There is great reason to congratulate the country upon the success which has attended the persevering efforts of Congress to furnish the means of military instruction to our youth, and of preserving and improving that science upon which our safety in war must at all times depend. In an age remarkable for the extent to which human inventions, in all departments have been carried, and in which the art of war has undergone essential modifications, from the introduction of new agents and the improvement of those previously existing, it would indeed be a reproach to the intelligence of our country, and a reflection upon the tendencies of our free institutions, if we refused or neglected to avail ourselves of the only means by which we can give to the bravery of our citizens the aid of that science which is alone necessary to render them equal to the skilful cohorts that may be sent to our shores by a European nation. The time has long since passed, if it ever existed, when mere valor could compete with discipline and science. If education be necessary to prepare for any profession, surely that of arms cannot be an exception. As it is, in its nature, one that cannot derive any support from private interests or individual employment, but is wholly public in its uses, the provisions for acquiring it must be made by the Government, or it will not be made at all, or not in a manner and to an extent adequate to the exigency.

By imparting the highest degree of military science to the young men who are annually sent forth from the academy, the country gains not only a large number of accomplished individuals, but the information which they possess becomes diffused among the body of our fellow-citizens, and furnishes alimant for the improvement of the militia. Indeed, that sure, ultimate resource in any conflict in which we may be engaged will be indebted for its advancement more to the establishment of an institution in which the military knowledge of the world is collected, preserved, and taught, than to any other cause. The spirit which would denounce such a reservoir of science and seminary of instruction, would proscribe the books, the maps, charts, mathematical instruments, and all other means and appliances by which the greatest amount of efficiency is given to physical force and intellectual strength.

The improvements recommended by the Board of Visitors, which are within the competency of this Department will receive the careful consideration to which the high source from which they emanate entitles them. Those which depend on the action of Congress, it is hoped, will meet the favor of that body. The suggestion that provision be made for an additional instructor, who may relieve the chaplain from some of his present duties, that he may devote more time to the moral instruction of the pupils, will commend itself to every mind that reflects on the dangers to which they are exposed in consequence of their being "separated

from the wholesome restraints of friends and kindred, and deprived of parental guidance."

The remarks of the Visitors on the indispensable necessity of new and enlarged barracks, as well for the health as the intellectual improvement of the cadets, present the subjects so strongly as not to admit of any further observations in their support, except the expression of the decided concurrence of this Department in a recommendation that has already been strenuously urged upon the attention of Congress.

The course of instruction at West Point is, however, imperfect in one essential particular—the means of acquiring practical knowledge of the duties of sappers, miners, and pontoniers. Although it is not probable that, in any war in which this country may be engaged, we shall have occasion to attack many other fortifications than such as may be captured from an enemy; yet, while the knowledge referred to would be indispensable even for such a purpose, the defence of such places equally requires that we should understand the means by which they would be assailed, that we may be prepared to counteract them. But in any warfare which should be carried on upon our territory, the most effectual means of crossing streams by the construction of bridges, or otherwise, with the greatest expedition, of embarrassing an enemy in his march or retreat, and of protecting our own forces would be elements of the greatest importance, and, like all other operations of human agency, they are to be improved and perfected only by the combination of science with practical experience. It is earnestly hoped that these considerations, with those so powerfully stated in the report of the Chief Engineer, and those so repeatedly urged by my predecessors, will induce Congress to make the necessary appropriation for the establishment, at West Point, of a corps of sappers, miners, and pontoniers.

#### *Report of the Bureau of Topographical Engineers.*

The report of the officer having charge of the Bureau of Topographical Engineers, affords the most satisfactory evidence of the great ability and usefulness of that corps.—Having been very recently organized, and not being furnished with means for any extensive operations until within the past year, its capacity and utility are now, for the first time, fully developed. The surveys of the mouth of the Suwanee, of the boundary line between us and Texas, from the mouth of the Sabine to Red River, and of the Des Moines and Iowa rivers, have been completed, while the most difficult part of the boundary between Michigan and Wisconsin has been finished. The surveys of the lakes, and that of the North Eastern boundary, are in progress.—The measures preparatory to active operations for the removal of the Red River raft are detailed in the report, and that important work will be prosecuted with vigor.

It will be perceived that the works for the improvement of harbors already authorized, have been arranged into two classes, first, those of great importance and immediate necessity; and second, those of perhaps equal importance, but in respect to which there are no peculiar circumstances so urgent for speedy action as in the first class. The plan of proceeding gradually, with a due regard to economy and the condition of the Treasury, and with reference to the just and equal claims of the different portions of the country, will, it is believed, be more likely to accomplish a greater amount of the desired improvement than any other mode.

The total estimates for the works of the first class is \$575,000, while the very moderate sum of \$50,000 is asked to preserve those of the second class from decay. It should not be inferred that any intention exists of abandoning many most valuable and important works, for which no specific estimates are submitted. On the contrary, the very recommendation to preserve them, proceeds from a desire for their completion at the proper time, and in due course, in reference to the principles before stated.

The works for which specific estimates are submitted, are upon the Atlantic and lake coasts, of which by far the largest amount is for the former.

While justice is thus done to the maritime frontier, in the improvement of its harbors, and in the provisions for its

military and naval defences, the exceedingly important and rapidly increasing commerce of the lakes is fairly entitled to consideration and assistance by rendering accessible the harbors universally obstructed by natural impediments, and by affording light-houses for a hazardous navigation. At the present time, this commerce, based on the productions of seven States and one Territory, must annually exceed \$25,000,000; and as it expands and increases it will give additional value to the public domain, which will soon add its tributary streams to the great tide of internal trade that flows from Lake Superior to the Atlantic.

Having now two corps of officers, composed of gentlemen of the highest scientific acquirements, combined with much experience, there can no longer be any reason for making appropriations to improve harbors or rivers, in the absence of full and accurate information from those equally competent and disinterested. I concur, therefore, entirely in the remark made by a predecessor in 1839, that the whole system may be brought into deserved disrepute, unless examinations are directed, and reports had, previous to any appropriations for such purpose.

#### *Reports of various Officers.*

The reports of the Paymaster General and the acting Surgeon General, show the operations of those departments, and the activity that prevails in them.

The report of the *Commissary General* of subsistence exhibits several gratifying results. The expense of subsistence will be considerably diminished the ensuing year.—There has been great promptness in the rendering of their accounts by the disbursing officers, and in the settlement of those of the army and special contractors; and not a cent has been lost during the year through the regular disbursing officers of the department, or its temporary agents.

The Report of the *Commissary of Purchases* contains the usual statements of the quantity of materials of clothing on hand and procured during the year, the quantity made up, and the balance remaining; the quantity of each of the different articles made up at the clothing establishment and issued, and the quantity on hand; and the quantity of clothing, and of camp and garrison equipage on hand and purchased during the year, the quantity issued, and the balance on hand. There is also a statement of the comparative cost of the different articles of clothing, &c., for the last three years, from which it appears there has been a reduction in the cost of nearly all of them during the last year.

#### *Clothing bureau at Washington discontinued.*

Deeming the establishment of a clothing bureau at the city of Washington in conflict with the provision of the act of May, 1826, by which the Quartermaster's department is charged with the duty of receiving from the purchasing department and distributing to the army all clothing, and camp and garrison equipage, it has been discontinued, and its business will hereafter be conducted under the supervision of the Quartermaster General. By this arrangement a more effectual accountability is secured.

#### *Report of the Commissioner of Pensions.*

From the report of the Commissioner of Pensions, it will be seen that during the last year, the number of pensioners on the rolls has diminished more than one-third, the greatest proportion having occurred among the invalids, the revolutionary pensioners under the act of 1818, and the widows of certain persons who served in the war of the Revolution, under the act of 1838. The whole number, of all descriptions, on the rolls at the date of the last annual report, was forty-four thousand three hundred and ninety-four. The whole number at present is twenty-six thousand five hundred and thirty-one, of whom two thousand six hundred and five are invalids; three thousand nine hundred and fifty-eight receive pensions under the act of 1818; four hundred and thirty-six under the act of 1828; sixteen thousand six hundred and eighty-two under the act of 1832; two thousand three hundred and three under the act of 1836; and five hundred and forty-seven widows under the act of 1838.

The vexatious operation of the act of 1838, which requires pensions, unclaimed for eight months, to be returned to the Treasury, has heretofore been presented to the consideration of Congress, and I cannot but concur in the recommendation for its repeal.

#### *Wounded Cherokee Indians.*

I cannot refrain from calling attention to the case of the wounded Cherokee Indians, to whom the faith of the nation was pledged by the 14th article of the treaty with the Cherokees, of the 29th December, 1835, to provide pensions to such as were engaged on the side of the United States, in the late war with Great Britain and the Southern tribes of Indians, and who were wounded in such service. The few who remain have applied in vain to the Pension Office for the promised remuneration; but it is to be hoped that justice, although tardy, will now be rendered to them.

#### *Report of the Bounty Land Office.*

From the report of the late first clerk of the Bounty Land Office, it appears that about twenty claims of warrants, for revolutionary services, have been filed and duly established since the 1st day of January, 1840, on which day the last law for extending the time for issuing warrants of the class expired; and that one hundred and fourteen claims for warrants on account of services rendered in the late war with Great Britain, have been deposited and established, although the act authorizing such warrants expired on the 26th day of May, 1839. By the report from the same officer, for the year ending 30th September, 1839, it appears that thirteen claims of a similar character were presented and substantiated in that year, after the expiration of the act; and by a like report, for the year 1840, it appears that seventy-six claims, were exhibited and established during that year, under the same expired act, making the total number thus established, up to the 15th of November last, two hundred and three.—The authority for issuing these warrants having expired, it is difficult to perceive on what ground the claims have been received and investigated, or the legal validity of any proofs that may have been taken since that authority ceased. The same remark applies to the claims for services rendered in the war of the Revolution. The attention of Congress having been repeatedly called to the fact, that the laws on the subject of both these descriptions of claims had become obsolete, and no act reviving them having been passed, the utility of maintaining a distinct bureau for their examination was not perceived; and whatever business remains to be done, has been placed under the supervision of the Commissioner of Pensions, with his assent.

#### *Insecurity and inconvenience of the Buildings.*

It would be a dereliction of duty to omit calling the attention of Congress to a subject to which it has been so often invited by a predecessor in this Department, namely, the insecurity and inconvenience of the buildings in which, for the want of room in the War Office, the officers of the Paymaster General, of the Ordnance Bureau, of the Chief Military Engineer of the Topographical Engineers, and the Commissioners of Pensions are kept. Models, surveys, maps, reports, and various documents of incalculable value, belonging to those bureaus, are imminently exposed. Some immediate provision for a suitable building seems indispensable.

#### *Purchase of the Island at the confluence of the St. Peter's and Mississippi Rivers.*

By a joint resolution of Congress, approved February 13, 1839, the Secretary of War was authorized to contract for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers, and to report his proceedings to Congress, subject to their approbation or rejection. On the 12th March, 1839, the contract was made and the sum of \$12,000 agreed to be paid. As the property is deemed necessary for military purposes, being adjacent to Fort Snelling, an estimate for an appropriation for its purchase has been submitted, in a form which will relieve the subject of all difficulty respecting the title to the land, by leaving it to the

proper department to ascertain the persons entitled to the purchase money. A communication of my immediate predecessor to the Speaker of the House of Representatives, on the 2d September, 1841, will furnish all the information on the subject in the possession of this Department.

#### *National Armory.*

Pursuant to the appropriation in the act of September 9, 1841, for defraying the expenses of selecting a suitable site on the western waters for the establishment of a national armory, a board of officers, consisting of Brevet Brigadier General Armistead, Lieutenant Colonel Long, of the Topographical Engineers, and Surgeon General Lawson, has been appointed to make the necessary examinations. They are now engaged in that duty, and their report on the subject will be laid before you, as soon as it shall be received.

#### *Report of the Commissioner of Indian Affairs.*

The report of the Commissioner of Indian Affairs presents much valuable information concerning the very important matters in charge of that Bureau. The absence of the Commissioner in the negotiation of a treaty, when the undersigned was called to the Department of War, and for some time afterward, together with the very short time allowed for the examination and consideration of the various and complicated relations with the Indian tribes, will account for the omission, in this report, of views and opinions which might be otherwise expected. Believing it to be a branch of the public service requiring peculiar attention and mature deliberation, it will not cease to engage the most strenuous efforts to improve its administration, and promote the interests of the helpless people who are the objects of its care; and, if occasion should require any suggestions for those purposes, they will hereafter be the subject of a special report.

#### *Indian Treaties and Claims.*

The amendments made by the President and Senate to the treaty with the Miami tribe, were assented to by them in the month of June last; thus extinguishing the Indian title to lands throughout the whole State of Indiana. An arrangement has also been made with the Saganaw Indians, by which certain omissions in the treaty of 1837 have been supplied, and the cession of their lands intended to be embraced in it, has been completed.

#### *Treaty with the Sioux.*

Since the adjournment of Congress, a treaty has been concluded with some of the bands of the Sioux, for lands, not included in any previous negotiation, and another has been made with the half-breeds of the Sioux, for a cession of the lands set apart to them by the 9th article of the treaty held at Prairie du Chien, on the 15th of July, 1830.

A treaty is now negotiating with the Wyandots for their lands in the State of Ohio, which, it is believed, will soon be brought to a conclusion. The attempt to negotiate with the Sacs and Foxes has utterly failed. As the causes of this failure are believed to be temporary, or such as may be removed by arrangements with other tribes, a renewed effort will be made when a propitious occasion shall offer.

It is a source of regret that the information respecting the state of the Indian schools is so scanty and imperfect. Few subjects commend themselves more strongly to all our sympathies as men and Christians, than the education and civilization of the Indian tribes; and, so far as depends on this Department, the obligations resulting from the provisions made in various treaties for that purpose, and from the appropriations by Congress, shall be faithfully discharged.

The recommendation of the Commissioner to revive the investigation into the claims arising under the 14th article of the treaty of Dancing Rabbit Creek, and that proposing that authority should be given for the sale of lands at once, upon their being ceded, on which buildings have been erected, or improvements have been made by the United States, are respectfully commended to the consideration of Congress.

#### *Accounts of Disbursing Agents.*

The condition of the accounts of the disbursing agents demands prompt attention. There appear to be large balances against some of those agents, who are supposed to be entitled to credits of equal amounts for expenditures, but which credits cannot be allowed under existing laws, in consequence of the sums thus expended being taken from other funds. Some law like that suggested by the Commissioner, authorizing transfers of appropriations, seems indispensable; and the interest of the government, as well as of the agents, requires that it should be passed as speedily as possible.

#### *Intrusion on Indian Lands.*

Measures have been taken to execute the act of 1834, in relation to intrusions on Indian lands, for the purpose of preventing the sale of liquor and unlicensed trading, which it is hoped may prove successful.

Respectfully submitted,

JOHN C. SPENCER.

To the President.

### **Report of the Postmaster General.**

POST OFFICE DEPARTMENT, }  
December 2, 1841. }

#### *To the President of the United States:*

In the discharge of the duty of reporting to you the condition of the General Post Office, I have to regret that my recent induction into office will prevent me from giving you that full development at this time so necessary to a clear understanding of the various and extended operations of a Department so important and interesting to every class of our fellow-citizens.

Unlike the other Departments of Government, which derive their support from the national Treasury, the General Post Office looks for the means to continue and extend its operations to the income derived alone from a successful administration of the laws prescribing its duties and privileges.

The General Post Office, at first almost the creature of administrative discretion, necessarily so remains, to a great degree, at the present time. In its infancy, it required the constant and vigilant superintendence of its head to direct its affairs in such manner as to extend the sphere of its usefulness, commensurate with the increase and extent of population and business. Equal, if not greater, vigilance is demanded at the present day.

It is to be desired that, in the general administration of the Government, as little of discretion as possible should be left with those charged with public trusts; and I regret my acquaintance with the details of the Department, at this time, is so limited as not to qualify me to suggest more specifically those improvements in the laws pertaining to it, whereby much of that discretion, heretofore exercised, might be restrained and profitably regulated by legislative enactments. The propriety of these remarks will be fully demonstrated by a recurrence to the history of the Post Office operations, from their commencement to the present time.

#### *History of the Post Office operations.*

In 1790, the whole number of post offices in the United States did not exceed seventy-five; the number of miles of post road, 1,875; the revenue, \$37,936; the expenditure, \$32,140. In 1840, it will be seen that the whole number of post offices in the United States was 13,488; the number of miles of post road, 155,739; the gross revenue for the same year was \$4,539,265, and the expenditure was \$4,759,110. The necessity of guarding, as far as practicable, by specific legislation, such an amount of income and expenditure, and the duties and liabilities of so many agents, must be apparent.

As has already been remarked, the original design in the establishment of the Post Office Department was that its income should be made to sustain its operations. That principle ought never to be abandoned. Whilst the Department

should not be regarded as a source of revenue to the nation, it should never become an annual charge to its Treasury.

#### *Financial Condition.*

Upon assuming the discharge of the duties pertaining to the office of Postmaster General, my first object was to investigate its financial condition; and it becomes my duty to inform you that I did not find it in that prosperous state which the demands upon it require.

The income of this Department is always liable to be affected by the fluctuations of the business of the country.—It is increased or depressed in proportion to the increase or depression of that business.

Besides this cause of fluctuation in its income, other causes of a reduction, more or less in every year, may be found in the increased facilities which the travel upon railroads and steamboats furnishes for the transmission of letters and newspapers by private conveyance; secondly, in the great extension, to say nothing of the abuse, of the franking privilege; thirdly, in the recent establishment of what are called private expresses, upon the great mail routes of the United States; fourthly, in the frauds practised upon the Department, in evading, by various devices, the payment of the postage imposed by law. While all these causes operate to lessen the revenue of the Department, the expenses of transporting the mail are not affected or lessened by them; and I respectfully suggest whether the evils to which I have referred do not deserve the serious attention of Congress, so far as to call for some more specific legislation, whereby they may be removed or suppressed.

The total gross revenue of the Post Office for the fiscal year commencing on the 1st of July, 1840, and terminating on the 30th June, 1841, was \$4,379,217 78; the total expenditure for the same time was \$4,567,238 39. In this year the expenditures exceeded the revenue by the sum of \$187,920 61. A statement of the expenditures, more in detail, will in due time, as required by law, be reported to Congress.

The precise income and expenditure of the General Post Office cannot be known in any one year, until the close of the fiscal year, and the settlements of all accounts have been completed. Consequently, any statement of expenditure and income, for the present year, is liable to the fluctuations and changes always incident to the peculiar character of the service.

The expenditure and income of the Department for the current year may, upon estimate, be stated in round numbers as follows:

Total amount of revenue derived from postages, fines, and all other sources.....	\$4,380,000
Expense of mail transportation.....	3,145,000
Commission to postmasters, if the rates of per centago remain unchanged.....	1,015,000
Ship, steamboat, and way letters.....	20,000
Incidental expenses, including blanks, stationery, printing, &c.....	310,000
Total estimated expenditure.....	4,490,000
Total estimated income.....	4,380,000
	<hr/>
	\$110,000

Thus it will be seen that the probable amount of expenditure will exceed the amount of revenue, as estimated, by \$110,000.

With this deficit presenting itself so palpably to my mind, I have essayed to infuse into the administration of the service a rigid economy; yet, with all the savings which it may be possible to make by the most rigid economy, I am satisfied the expenditure cannot be reduced within the income, without either reducing the transportation of the mail below the just wants of the community, or in some other mode increasing the revenue of the Department.

To continue the present amount of service, and extend it with the growth and spread of our population, particularly in the West, the present revenue, with its former charges,

is evidently inadequate: and a reduction of that service greatly below its present standard would have to take place, unless Congress make an appropriation from the public Treasury, which I neither ask nor desire to see made.

Upon a view of all the circumstances, and with a perfect sense of the delicate responsibility assumed, I have felt myself imperiously called upon to exercise a power vested by the act of 1825 in the Postmaster General, and have re-adjusted the commissions heretofore allowed to deputy postmasters. By this regulation, a copy of which is annexed, there will be added to the nett annual income of the Department about \$100,000. I thought it better to do this than either to ask Congress for an appropriation or to reduce the transportation of the mail below the just wants of the community.

When it is known that this reduction has been made to enable the Department to send intelligence among the people, by continuing and extending mail facilities, and not in a spirit of parsimonious economy, the liberal and enlightened of all sections will, I am persuaded, approve what has been done; and I will not allow myself to believe that those whom it most immediately affects will view it in an illiberal spirit.

Should Congress, however, not approve of this measure, they will have it in their power, before the order takes effect, to arrest its force; and will no doubt adopt the necessary measures to require the reduction of mail service, or to provide the means of paying the balance which will be due to contractors at the end of the year.

The annexed report of the Auditor of the Post Office Department will exhibit the progress which has been made in the adjustment and liquidation of the accounts of postmasters since the 4th of March last.

#### *Adjustment and liquidation of the accounts of Postmasters.*

It is to be expected that among 14,000 deputy postmasters (appointed generally without a personal knowledge of the individuals or their securities) there will be found some who will prove faithless to their trusts, and whose securities are not good for the amount due the Department. In view of this, I have instituted a rigid inquiry, not only into the fitness and business qualifications of the postmasters, but the solvency of their securities, from which the best results may be anticipated. This operation, performed in part by the special agents of the Department, under the letter of instructions annexed, and the prompt settlement of the accounts of all postmasters, will more effectually guard the Department from losses by defaulting postmasters.

#### *Reduction of the postage upon letters and newspapers.*

The reduction of the postage upon letters is a subject which has engaged the public attention for years, and is one of great interest to the whole community.

It is contended by many, whose opinions are entitled to respectful consideration, that the reduction of postage would give an increase of revenue. Without undertaking to discuss this question at present, I am not prepared, from the present financial condition of the Department, to recommend a reduction of the rates of postage, as now fixed by law, but invite a modification of them so far as to make them conform more generally to the smaller coin of the United States, and solicit a revision of the laws regulating the postage on newspapers. I do not desire that the rates of postage on newspapers proper should be increased, though much might be saved to the Department if the principle of pre-p stage was applied to newspapers, provided such regulation was deemed acceptable to public opinion. I must, however, earnestly invite your attention, and hope you will call that of Congress, to the necessity of the enactment of some law by which a just discrimination may be made in the imposition of postage on newspapers proper and those mammoth periodicals which assume the shape and name of newspapers, but which are, in fact, the republication of books, reviews, and novels, sent through the post office, not at taxes to subscribers, but in large masses to agents, to vend in the markets of the more distant cities, towns and villages, which



greatly increase the size and weight of the mails and the expense of transportation, without a corresponding remuneration to the Department. The great number of these large publications which have been sent by the mail from Baltimore to Wheeling has mainly contributed to the frequent irregularities of the Western mails for the last twelve months. I respectfully inquire whether it is just that the United States mail shall be compelled to transport one of these papers, weighing nearly a pound, for a cent and a half from Boston or New York to Louisville, Ky. to a factor, to sell for the benefit of the publisher, while the letter of friendship or of business is taxed with twenty-five cents postage between the same points.

*Private expresses for the carrying of letters &c, upon post roads.*

I have already alluded to the establishment of what are called private expresses, for the carrying of letters, packages and newspapers, upon the post roads of the United States, for pay and compensation, as one cause tending greatly to the reduction of the revenue of the department. I must beg leave again to bring the subject more particularly to your notice, under a hope that you will invite that of Congress to the necessity of some further legislation, more effectually to protect the interests and the rights of the General Government in its Post Office Department.

If there is any grant of exclusive power to Congress upon which all unite in opinion, it is the power to establish post offices and post roads; and it may fairly be assumed as an admitted principle, that when Congress, in the exercise of that power, has established a post road, the right of a State, or the individuals of a State, to establish lines of transportation, for letters, packages and newspapers, upon and over the same roads, for compensation, cannot be successfully maintained.

How far this usurped power has been exercised by individuals, and to what extent, I am not fully informed; but the information communicated to the department, induced me to avail myself of the services of the First Assistant Postmaster General, while on a temporary visit of business to Philadelphia, to collect and report to me such information upon the subject as his other engagements would permit; and I have the honor now to submit to you his report.

*Amount of mail service for the year.*

Another report from the First Assistant Postmaster General, herewith submitted, will present you with a detailed statement of the amount of mail service for the year ending the 30th June, 1841, and the rate of cost for the same in each State and Territory, distinguishing between each character of service. By this report it will appear that the United States mail was transported on railroads and steamboats 3,946,450 miles, at the cost of \$585,843; on horse and in sulkeys 12,688,462 miles at a cost of \$781,807; in stages and coaches 18,961,213 miles, at the cost of \$1,791,635; making a total aggregate of annual transportation of 34,996,525 miles, at the rate of cost of \$3,159,375.

*Railroads, &c.*

The act of 1838, declares that "each railroad within the limits of the United States which now is, or hereafter may be completed shall be a post road;" and in that law, and the act of 1839, provisions limiting the amount beyond which the Postmaster General is prohibited from paying for the transportation of the mail on railways will be found.

*Contracts with railroad Companies.*

Great embarrassments to the department have arisen in the making of contracts for the transportation of the mail with many of the railroad companies, under the laws now in force. These embarrassments arise mainly from two causes: the one, that the price which the department is enabled to pay, whether in reference to its means or the maximum fixed by the legislation of Congress, has been deemed inadequate by many of the principal companies. The other arises from an unwillingness on the part of some of the companies to run by a schedule prescribed by the department; preferring to

run at such times as will best suit the travel upon the road; regarding, as it is natural for them to do, the carrying of the mail as secondary to the transportation of passengers. The latter evil has been particularly felt in the great Southern mail, on its transit from Washington city to New York. The mail going south from New York is necessarily thrown upon the Philadelphia and Baltimore railroad in the night, between Philadelphia and Baltimore; and the Southern mail for New York is compelled to lie over twelve hours in Baltimore, unless the Philadelphia company can be induced to run that trip also in the night. This they have declined doing, unless the department would pay them a compensation greater than is authorized by the laws of Congress. Under a hope that some arrangement could be made—to last during the session of Congress, if no longer—I addressed to the Presidents of the railroad companies concerned in the transportation of the mail between the city of Washington and New York a letter, a copy of which, and the report of the First Assistant Postmaster General upon this subject, are herewith submitted.

An anxious desire to effect some permanent arrangement with the railroad companies for the transportation of the mail upon a basis which shall be both just and uniform, considering the nature of the service performed by each, induced me to invite a meeting of the presidents of the different companies, in the city of Washington, on the 1st of January next; and I am gratified at the prompt manner in which all who have been heard from, have consented to attend, and a hope is cherished that some arrangement, satisfactory to all parties and beneficial to the public, may yet be effected.

*Purchase of the right to transport the mail in the cars of Railroad Companies.*

The improved mode of intercommunication by railroad and steam, operating under chartered rights granted by the States, and over which it is not pretended that the General Government, much less the Post Office Department, can exercise any control, imposes upon Congress, in my opinion, new duties and obligations, which can only be cancelled by the adoption of some measure whereby the Post Office Department may, upon adequate consideration, secure by compact the right to transport the mail in the cars of railroad companies, and at the same time, give to the department the power to control the departure and arrival of the same.

There is now paid to the different railroad companies, annually, over \$400,000 for the service, without power in the department to regulate the travel, arrival and departure of the mail; and constant and frequent difficulties, both in entering into, and the execution of contracts, are presented.

It has occurred to me that the present was a most favorable period for the adoption of some measure by Congress, whereby to secure to the United States the right to transport the mail upon these roads in all time to come, free of any annual charge upon the Post Office Department, by the advancement of a sum in gross, which may be agreed upon, to each of these companies, or such of them as may be willing to contract. Many of the railroad companies, and some of them constituting most important links in the great chain of intercommunication between Boston and Charleston, owing to the great derangement of the monetary concerns of the world, and the depression of all State and company stocks, find themselves laboring under embarrassments and difficulties, which the aid of the General Government, applied in the way proposed, would effectually remove, and at the same time secure to the United States the advantage and the ample equivalent of transporting the mail upon these roads.

The credit of the United States to an amount not greater than the sum necessary to produce, at five per cent. interest, the amount paid by the Post Office Department to these companies annually, would, I have no doubt, be sufficient to accomplish this desirable end. The prompt and favorable action of Congress upon this subject at the present time would effectually secure the Government against the danger of being called upon for occasional and large appropriations to meet the balances due by the department.

Do I ask the United States to do more for the Post Office Department than justice would seem to demand, especially

when it is remembered that the whole expense of the official correspondence of the government, and the public and private correspondence of those entitled by law to the franking privilege, is sustained and paid by a tax upon the correspondence of the community? If by this arrangement the department is relieved from the heavy annual charge as now rated, (and it has neither the power to lessen it, nor to prevent its increase,) it may be hoped that the object so much demanded by considerations of public justice, (that of reducing the tax) upon the friendly and business correspondence of individuals will be attained, and, at the same time, the usefulness of the public mail greatly enlarged and extended to those portions of the Union hitherto measurably denied the necessary mail facilities.

If the Government was required to pay postage upon official correspondence, and if the franking privilege was abolished or reduced to proper limits, the revenue of the Department would be increased to an amount sufficient of itself to pay the interest upon the debt to be incurred by the proposed arrangement, and liquidate the principal in less than thirty years.

I respectfully submit to the President the propriety of communicating to Congress the views which I entertain and have here expressed upon this subject.

*Embarrassments to free transit of mail over Cumberland road in Virginia.*

Some embarrassments to the free transit of the United States mail coaches over that part of the Cumberland road which lies within the limits of the State of Virginia have been experienced during the present year, incident to a right assumed by the authorities of that State to impose a tax upon the coach transporting the mail.

In the act of Congress proposing a cession of all right which the United States claimed over said road, upon certain conditions, to the States through which it passed, it was expressly provided that no toll upon the stages, coaches, &c. conveying the United States mail should be imposed. With this, among other reservations and exceptions, the States of Maryland, Pennsylvania, Virginia, and Ohio, accepted the cession and assumed the control over so much of the road as is within their respective territories. It appears that, by a subsequent act of the Virginia Legislature, so much of the act, by which she accepted the road, exempting the stage, coach, &c. conveying the United States mail from the payment of tolls, was repealed, and a tax was authorized to be, and was, imposed upon the same. Without detaining you with a further narrative upon this subject, I submit the letters and correspondence of the Department in relation thereto, and the documents accompanying the same. Though the amount charged and exacted at the single gate in Virginia is inconsiderable, yet, if she have the right to impose the toll, the other States have an equal right, and will, most unquestionably, assert it; and thus an additional annual burden of near \$9,000 will be added to the transportation of the United States mail over that road, which is already the most expensive mail-coach service in the United States.

It is proper I should inform you that the prosecution instituted against the agent of Virginia, before I was called to the discharge of the duties of this Department, for obstructing the passage of the United States mail on said road, by closing the toll-gate against the free passage of the coach conveying the mail, has, upon my suggestion, been suspended for the present, under a hope that, upon a full representation of this subject, by the proper authority, to the State of Virginia, all cause of difficulty might be removed, without the necessity of a penal prosecution.

*Report of the Chief Clerk.*

I submit, for your information, the report of the chief clerk of the Post Office Department, in reference to the expenditure of the appropriation, made at the extra session of Congress, to pay the debts due to contractors and others, for services rendered prior to the 31st of March, 1841.

There are other matters of detail, connected with the service of this Department, which by law are required to be re-

ported to Congress; and it is therefore deemed inexpedient to bring them particularly to your notice in this communication.

I have the honor to be, with respectful consideration, your obedient servant,

C. A. WICKLIFFE.

**The Boston Market.**

The Yankee Farmer estimates the amount of produce annually sold in Faneuil Hall Market, at \$8,000,000, viz: Pork, \$3,750,000; Beef, \$1,750,000; Butter, \$600,000; Vegetables and Fruit, \$500,000; Mutton, \$300,000; Fish, \$300,000; Poultry, \$270,000; Cheese, \$250,000; Eggs, (2000 dozen per day, averaging 17 cents per dozen,) \$117,000; Veal, \$5,300.

**Corrections in the Census Tables, 1840.**

On page 222 we published an aggregate of the Census of 1840, and on pages 232-3-4-5 the tables in detail. Since then by an act of September 1, 1841, the Marshal of Maryland was authorized to take the Census of Montgomery Co. Maryland again—some errors or omissions having occurred in that county. The result of which has been an increase of 787 in the population of the whole State. We have received a copy of this return, and of the general Census as corrected thereby, which is now inserted below, by which the tables on pages 232-3-4-5, before published, may be corrected. The 1st table shows the totals for Maryland which takes the place in the line of the general table pages 232, &c., opposite "Maryland;" and the second table shows the corrected totals of the different columns of the tables on pages 232, &c. instead of the amounts now found there. By these corrections the entire population is ascertained to be 17,069,453, (as stated in the President's Message to which we appended a note) instead of 17,068,666, and the population of Maryland is by those corrections made 470,019, instead of 469,232. These differences are so small that they do not sufficiently change the results of our "Comparative Views," to induce us to correct them. In all our future comparisons, we shall however, use these corrected returns.

**EPITOME**

*Of the whole population of the State of Maryland, exhibiting the general aggregate amount of each description of persons by classes.*

**FREE WHITE PERSONS.**

	Males.	Females.
Under five years of age . . . . .	26,874	25,650
Five and under ten . . . . .	20,551	19,997
Ten and under fifteen . . . . .	18,382	17,602
Fifteen and under twenty . . . . .	16,302	18,404
Twenty and under thirty . . . . .	30,041	31,116
Thirty and under forty . . . . .	20,753	19,266
Forty and under fifty . . . . .	12,664	12,517
Fifty and under sixty . . . . .	7,281	7,901
Sixty and under seventy . . . . .	3,911	4,406
Seventy and under eighty . . . . .	1,549	1,804
Eighty and under ninety . . . . .	415	532
Ninety and under one hundred . . . . .	65	96
One hundred and upwards . . . . .	16	9
	158,804	159,400
Males . . . . .		158,804
Free white persons . . . . .		318,204

FREE COLORED PERSONS.		
	Males.	Females.
Under ten years of age.....	9,421	9,127
Ten and under twenty-four....	7,733	8,656
Twenty-four and under thirty-six	4,785	6,695
Thirty-six and under fifty-five..	4,686	5,409
Fifty-five and under one hundred	2,514	2,927
One hundred and upwards.....	48	77
	29,187	32,891
Males .....	29,187	
Free colored persons .....	62,078	
SLAVES.		
Under ten years of age.....	14,981	14,546
Ten and under twenty-four....	15,515	14,425
Twenty-four and under thirty-six	7,738	7,575
Thirty-six and under fifty-five..	5,214	4,735
Fifty-five and under one hundred	2,565	2,351
One hundred and upwards.....	55	37
	46,068	43,669
Males .....	46,068	
Slaves.....	89,737	
Free white persons .....	318,204	
Free colored persons .....	62,078	
Total.....	470,019	
White persons included in the foregoing, who are deaf and dumb, under fourteen years of age ..	43	
White persons included in the foregoing, who are deaf and dumb, of fourteen and under twenty-five .....	59	
White persons included in the foregoing, who are deaf and dumb, over twenty-five.....	79	
White persons included in the foregoing, who are blind.....	171	
White persons included in the foregoing, who are insane and idiots at public charge.....	137	
White persons included in the foregoing, who are insane and idiots at private charge .....	263	
Total number of persons employed in mining...	320	
Total number of persons employed in agriculture	72,046	
Total number of persons employed in commerce.	3,281	
Total number of persons employed in manufactures and trades .....	21,529	
Total number of persons employed in navigation of the ocean .....	717	
Total number of persons employed in navigation of canals, lakes, and rivers.....	1,528	
Total number of persons employed in learned professions.....	1,666	
Slaves and colored persons included in the foregoing, who are deaf and dumb.....	68	
Slaves and colored persons included in the foregoing, who are blind.....	101	
Slaves and colored persons included in the foregoing, who are insane and idiots at private charge .....	108	
Slaves and colored persons included in the foregoing, who are insane and idiots at public charge.....	42	
Total number of pensioners for revolutionary or military services.....	95	
Total number of Universities or colleges.....	12	
Total number of students in universities or colleges .....	813	
Total number of academies and grammar schools	153	
Total number of students in academies and grammar schools .....	4,289	
Total number of primary and common schools...	565	
Total number of scholars in common schools ...	16,851	
Total number of scholars at public charge .....	6,624	
Total number of white persons over twenty years of age who cannot read and write .....	11,817	

EPITOME		
<i>Of the whole population of the States and Territories of the United States, exhibiting the general aggregate amount of each description of persons by classes.</i>		
FREE WHITE PERSONS.		
	Males.	Females.
Under five years of age.....	1,270,743	1,203,319
Five and under ten .....	1,024,050	986,940
Ten and under fifteen.....	879,530	836,630
Fifteen and under twenty.....	756,106	792,223
Twenty and under thirty .....	1,322,453	1,253,490
Thirty and under forty.....	866,452	779,120
Forty and under fifty .....	536,606	502,183
Fifty and under sixty .....	314,528	304,852
Sixty and under seventy.....	174,238	173,329
Seventy and under eighty .....	80,067	80,565
Eighty and under ninety .....	21,677	23,962
Ninety and under one hundred...	2,508	3,232
One hundred and upwards.....	476	316
	7,249,434	6,940,161
Males .....	7,249,434	
Free white persons.....	14,189,595	
FREE COLORED PERSONS.		
Under ten years of age.....	56,284	55,062
Ten and under twenty-four.....	52,805	56,592
Twenty-four and under thirty-six.	35,321	41,682
Thirty-six and under fifty-five....	28,274	30,371
Fifty-five and under one hundred.	13,513	15,753
One hundred and upwards.....	284	362
	186,481	199,822
Males .....	186,481	
Free colored persons .....	386,303	
SLAVES.		
Under ten years of age.....	422,584	421,465
Ten and under twenty four.....	391,206	390,117
Twenty-four and under thirty-six.	235,386	239,825
Thirty-six and under fifty-five....	145,260	139,204
Fifty-five and under one hundred .	51,331	49,746
One hundred and upwards.....	750	581
	1,246,517	1,240,938
Males .....	1,246,517	
Slaves.....	2,487,455	
Free white persons.....	14,189,595	
Free colored persons.....	386,303	
Navy.....	6,100	
Total.....	17,069,453	
White persons included in the foregoing, who are deaf and dumb, under fourteen years of age .....		1,919
White persons included in the foregoing, who are deaf and dumb, of fourteen and under twenty-five .....		2,057
White persons included in the foregoing, who are deaf and dumb over twenty-five.....		2,709
White persons included in the foregoing, who are blind .....		5,030
White persons included in the foregoing, who are insane and idiots at public charge .....		4,333
White persons included in the foregoing, who are insane and idiots at private charge .....		10,188
Total number of persons employed in mining.		15,210
Total number of persons employed in agriculture .....		3,719,951
Total number of persons employed in commerce		117,607

Total number of persons employed in manu- factures and trades.....	791,749
Total number of persons employed in naviga- tion of the ocean.....	56,021
Total number of persons employed in naviga- tion of canals, lakes, and rivers.....	32,976
Total number of persons employed in learned professions.....	65,255
Slaves and colored persons included in the fore- going, who are deaf and dumb.....	979
Slaves and colored persons included in the fore- going, who are blind.....	1,902
Slaves and colored persons included in the fore- going, who are insane and idiots at private charge.....	2,102
Slaves and colored persons included in the fore- going, who are insane and idiots at public charge.....	833
Total number of pensioners for revolutionary or military services.....	20,798
Total number of universities or colleges.....	173
Total number of students in universities or col- leges.....	16,233
Total number of academies and grammar schools	3,248
Total number of students in academies and grammar schools.....	164,270
Total number of primary and common schools	47,207
Total number of scholars in common schools..	1,845,113
Total number of scholars at public charge....	468,323
Total number of white persons over twenty years of age who cannot read and write....	549,905

The Condition of the Treasury of Pennsylvania.

TREASURY OFFICE OF PENNSYLVANIA, }  
Harrisburg, December 14, 1841. }

Messrs. FENN & WALLACE:—

Gentlemen—The subject to which your letter of yester-  
day refers, has on more than one occasion attracted my at-  
tention. I have been grieved to witness a seeming disposi-  
tion on the part of a portion of the press of Philadelphia to  
depress our State stocks, an effort which could result in no  
good except to a few interested speculators. It was to allay  
the fears that had apparently arisen on the subject of the  
payment of the interest falling due 1st February next, or  
rather to calm excitement, that I was applied to by several  
highly respected gentlemen of Philadelphia, for information  
in regard to the condition of the Treasury and its resources,  
to which applications I invariably replied that I entertained  
no doubt that the interest would be promptly met, and that  
too without recourse to a further borrowing of money, yet  
as a proper precaution against any unforeseen obstacles and  
to render the payment, I might say, absolutely certain, it was  
deemed advisable, after due consultation, and a mutual un-  
derstanding with the Governor, that timely notice should be  
given to the Banks agreeably to the resolution of 5th May  
last. I am happy, however, to state now that from the re-  
ceipts of the Treasury during the last three weeks, it is ren-  
dered apparent that no portion of the loan will be required  
of the Banks.

To illustrate this I herewith furnish you with a detailed  
statement of the receipts and expenditures of the Common-  
wealth for the financial year, which will show the following  
result:

Receipts.....	\$5,380,782 23
Add balance in the Treasury, 30th Nov. 1840.....	625,256 17
	<hr/>
	\$5,006,038 40
Deduct payments.....	4,896,106 16
	<hr/>
Balance in the Treasury, 30th Nov. 1841..	\$1,109,932 24
A part of this balance is unavailable for in- terest purposes, being appropriated to pay debts due for repairs of Huntingdon Breach, and a portion being depreciated funds and	

advances on account, to the public offices.—  
The sum of \$350,000 as the unavailable por-  
tion of the balance must therefore be deduct-  
ed. There is then left on the 30th Novem-  
ber last, which could be applied to the pay-  
ment of interest, the sum of ..... 759,932 24  
Add to this the excess of receipts over pay-  
ments from the 1st to the 13th inst ..... 188,274 98

Available balance in the Treasury 13th Dec.  
1841..... \$948,207 22

The interest due 1st February next is estimated at about  
\$900,000 including the premium that is likely to be paid for  
specie funds. Thus you will perceive that the amount now  
in the Treasury more than equals the interest.

If these facts are deemed of any importance in allaying  
public anxiety and correcting the evils of which you com-  
plain, you are at liberty to make them public.

Very Respectfully,

Yours, &c.

JOHN GILMORE,  
State Treasurer.

The following Balance Sheet, shows the various sources  
of revenue and the objects to which it has been applied for  
the past year:

*Receipts and payments at the State Treasury during  
the fiscal year ending 30th Nov. 1841.*

RECEIPTS.

Loan June 11, 1840.....	147,362 15	
January 16, 1841 ...	800,000 00	
May 4, 1841.....	1,741,650 68	
May 6, 1841.....	674,918 13	
Charter loan per resolutions		
May 5, 1841.....	340,981 00	
	<hr/>	\$3,704,911 96
Canal Tolls.....	498,422 89	
Railroad Tolls.....	263,937 55	
Motive Power.....	293,034 16	
	<hr/>	1,055,394 60
Auction Commissions.....	12,600 00	
“ Duties.....	77,022 15	
	<hr/>	89,622 15
Dividends on Bank Stock.....		118,091 90
Dividends an Turnpike, Bridge and Navi- gation Stock.....		30,355 72
Tax on Bank Dividends.....		96,021 61
Tax on Writs, &c.....		28,571 62
Tax on certain offices.....		6,419 00
Tax on Corporation Stocks per act June 11, 1840.....		\$7,333 92
Tax on Real and Personal Estate per act June 11, 1840.....		33,292 77
Tavern licenses.....		48,225 29
Retailer's licenses.....		72,091 72
Hawker and Pedlar licenses.....		567 00
Broker licenses.....		5,088 50
Collateral inheritances.....		20,591 43
Colonial Records.....		531 68
Lands and Land Office fees.....		23,859 85
Premiums on Bank Charters.....		714 28
Escheats.....		336 64
Pamphlet laws.....		223 32
Militia and Exempt fines.....		446 58
Fees of the Secretary's and Auditor Gene- ral's Office.....		825 66
Old Debts and Miscellaneous.....		1,930 68
	<hr/>	\$5,380,782 23
Balance on hand 30th November 1840 ...	625,256 17	
	<hr/>	\$6,006,038 40



PAYMENTS.	
Internal Improvement Fund viz ; For Canal and Railroad purposes.....	\$1,111,908 48
For interest on Canal loans, and salaries of Collectors, Weighmasters and Lock- keepers.....	1,731,874 22
Expenses of Motive Pow- er.....	291,876 50
	<hr/>
Navigation Companies, Turnpikes, Bridges, &c.,.....	115,209 66
Expenses of Government.....	305,879 32
Militia Expenses,.....	53,031 71
Pensions and Gratuities, .....	49,407 34
Education, viz : Colleges, Academies and Female Seminaries,....	50,051 91
Common Schools,.....	295,278 21
	<hr/>
Pennsylvania Institutions, for the Blind and Deaf and Dumb and Orphan Asylums, Penitentiaries viz : Eastern,.....	16,004 58
Western. ....	7,967 00
	<hr/>
House of Refuge,.....	23,971 58
Interest on loans not pertaining to Canals and Railroads,.....	5,000 00
Loan per Act 2d April, 1821,.....	64,250 00
Geological Survey,.....	674,918 13
State Library,.....	12,674 93
Nicholson Court and Commissioners,.....	2,525 42
Premiums on Silk, .....	3,126 36
Damages by sparks from Locomotives,....	4,418 55
Repairs of Delaware division of Canal, and Contractors, &c., under special Acts of Assembly, .....	7,779 42
West Chester Railroad per Act 16th April, 1838. ....	68,085 30
Reform Convention.....	5,037 51
Conveying convicts and fugitives.....	1,493 30
Escheats .....	1,579 11
Miscellaneous .....	779 74
	<hr/>
	15,513 54
	<hr/>
	\$4,896,106 16
Balance on hand, November 30, 1841,...	1,109,932 24
	<hr/>
	\$6,006,038 40
	<hr/>

Harrisburg Telegraph.

**Report of the Secretary of the Navy.**

NAVY DEPARTMENT, }  
December 4, 1841. }

To the President of the United States :

Sir—I have the honor to submit the following report :

*Number and force of the Navy.*

The Navy of the United States is composed of—  
Eleven ships of the line ; of which one is rated for 120 guns, and ten for 74 guns.  
Fifteen frigates of the first class ; of which one is rated for 54 guns, and fourteen for 44 guns.  
Two frigates of the second class, of 36 guns each.  
Eighteen sloops of war, of which eleven are rated for 20 guns, two for 18 guns, and five for 16 guns.  
Two brigs and four schooners; rated for ten guns each.  
Four steamers ; besides  
Three store-ships, three vessels used as receiving vessels, and five small schooners.

At the date of the last annual report from this Department, the ships in commission were employed as follows :

*In the Mediterranean.*

In the Mediterranean, the Ohio, of 74 guns, Captain La- vallette; the Brandywine, of 44 guns, Captain Bolton ; and the Cyane, of 20 guns, Commander Percival, who was re- lieved on account of ill health, and succeeded by Command- er Latimer; the whole squadron under the command of Commodore Hull. The Cyane was relieved by the sloop of war Preble, Commander Voorhees, and returned to the United States in May last, her cruise having been performed. The Ohio returned on the 17th of July last, and the Bran- dywine on the 9th of May last. The return of the Brandy- wine was owing to particular causes, not connected with the original purposes of her cruise ; and, as her presence in the Mediterranean was important, she was ordered back, under the command of Captain Geisinger. In July last, the sloop of war, Fairfield, Commander Tattnall, sailed for the Medi- terranean, taking out Commodore Charles W. Morgan, who now commands the squadron on that station. The squadron consists at present of the Brandywine, Fairfield, and Preble. The honor of the flag, in its intercourse with those of other nations, appears to have been properly sustained by this squadron ; a due support and countenance have been afford- ed to our mercantile interest, and the amicable relations of our country with foreign nations have been respected and preserved.

*In the Pacific Ocean.*

In the Pacific ocean the frigate Constitution, Captain Tur- ner ; the sloop of war St. Louis, Commander French For- rest , the sloop of war Yorktown, Commander Aulick ; the sloop of war Dale, Commander Gauntt ; and the schooner Shark, Lieutenant Bigelow ; the whole under the command of Commodore Alex. Claxton. Commodore Claxton, died at Talcahuana in March last, to the great loss of the service and the just regret of the country. Upon that event, the chief command of the squadron devolved on Capt. Daniel Turner, who returned to the United States with the Consti- tution on the 31st of October last, the time of her cruise having expired. Commodore Thomas Ap C. Jones, hav- ing been appointed to the command of that station, will sail in the frigate United States in the course of the next fortnight. The sloop of war Cyane, Commander Stribling, sailed for the same station early in November. Upon the arrival of Com- modore Jones, the squadron in the Pacific will consist of the frigate United States, the sloops of war St. Louis, Yorktown, Cyane, and Dale, and the schooner Shark.

*In the Gulf of California.*

Orders were given to Commodore Claxton to employ one of his vessels in cruising in the Gulf of California, and along the north-west coast of America, and, if circumstances should permit, to despatch another to visit the Sandwich and Friend- ly islands, in order to afford protection and assistance to our citizens engaged in the whale fisheries. In obedience to this order, the sloop of war St. Louis, Commander French For- rest, was ordered to cruise in the Gulf and along the western coast of California. This duty was performed in a manner highly creditable to Commander Forrest. The atrocities committed on American and English residents at Monterey and its neighborhood, by the Mexican authorities, are well known. Under the unfounded pretence of a conspiracy among the foreigners to wrest the country from Mexico, and to set up a separate and independent government of their own, they were attacked by armed soldiers in the night, wounded, beaten, imprisoned, sent in chains to a distant place, and their property destroyed, without even the forms of trial. In the midst of these outrages, Commander Forrest arrived upon the coast, and, by his prompt and spirited in- terposition, vindicated and secured the rights not only of American citizens, but of British subjects resident in Upper California. For these services Commander Forrest received, and appears to have well deserved, a formal expression of the thanks both of American and English residents.

*Upper Peru and the Sandwich Islands.*

In consequence of the civil disturbance in Upper Peru, it was deemed proper to despatch the Shark, under the com-

mand of Lieut. A. Bigelow, to cruise upon that coast. The movement was judicious and well timed, and the delicate trust reposed in Lieutenant Bigelow was discharged in a manner highly satisfactory to this Department. The property of American citizens, exposed to the rapacity and lawless violence of contending factions in the midst of civil war, was effectually protected whilst all who witnessed the operations of the *Shark* were inspired with increased respect for the American flag. It is highly gratifying to observe that Lieut. Bigelow, as well as Commander Forrest, extended the protection of our flag to the citizens and subjects of other countries as well as to those of our own.

In further execution of the orders of the Department, the sloop of war *Yorktown*, Commander Aulick, was despatched in May last to the Sandwich and Friendly islands, with a view to render such assistance as might be necessary to our whale fishers and other citizens trading in that part of the Pacific. No intelligence has been received from her since she left Valpariso.

The conduct of this squadron, as well under the command of Commodore Claxton as under that of Captain Turner, has been highly satisfactory to the Department. No disorder nor failure in duty has yet been reported to me, calling for my censure or disapprobation. On the contrary, the strictest regard appears to have been paid to the honor of the flag, and to the duties which it owed to the country and its citizens. Captain Turner very properly availed himself of an opportunity to show respect to a friendly power, by receiving on board the *Constitution*, at Callao, and conveying to Rio, the Brazilian chargé d'affaires. For this act of courtesy he received the thanks of the Imperial Government.

#### *American interests in the Pacific Ocean.*

I would respectfully solicit your attention, in a particular manner, to the situation of American interests in the Pacific Ocean. According to an estimate made by an intelligent gentleman lately returned from the Pacific, there are at this time not less than forty millions of dollars engaged in the whale fisheries alone, of which the greater part is American. I have great confidence in the accuracy of this estimate; but, even if it be too large, there will remain after all reasonable deductions, an interest of vast magnitude and importance. American merchants have formed establishments in different parts of the coast, from Chili to Columbia river, some of them very extensive and important, and all of them worthy the attention of Government. In Upper California there are already considerable settlements of Americans, and others are daily resorting to that fertile and delightful region. Such, however, is the unsettled condition of that whole country that they cannot be safe, either in their persons or property, except under the protection of our naval power. This protection cannot be afforded in proper degree and with suitable promptness by so small a squadron as we have usually kept in that sea. To cruise along so extensive a coast, calling at all necessary points, and at the same time to visit those parts of the Pacific in which the presence of our ships is necessary for the protection and assistance of our whale fisheries, requires twice the number of vessels now employed in that service. It is highly desirable, too, that the Gulf of California should be fully explored; and this duty alone will give employment for a long time to one or two vessels of the smallest class. For these reasons I have caused estimates to be prepared for a large increase of the Pacific squadron.

I also respectfully submit to your consideration the propriety of establishing, at some suitable point on our territory bordering that ocean, a post to which our vessels may resort. Many positions well adapted to this object may be found between the mouth of Columbia river and Guayaquil, which, it is presumed, may be procured, if they be not to be found on our own territory. Our public vessels cruising in that ocean are generally absent from the United States not less than four years; within which time they necessarily require a variety of supplies which cannot now be obtained without very great difficulty and expense. Any considerable *repair* is almost impossible, with all the means which can be furnished by all the nations of the coast. Such a post would also be of incalculable value as a place of refuge and refresh-

ment to our commercial marine. I need not enlarge on the many and great benefits which might be expected from the establishment of some general rendezvous for all our vessels trading and cruising in this distant sea.

#### *Naval Depot at the Sandwich Islands.*

In addition to this, a naval depot at the Sandwich islands would be of very great advantage. It is a central point of the trade carried on in the Pacific, and possesses many peculiar recommendations of climate and local conveniences and accommodations.

#### *On the Coast of Brazil.*

On the coast of Brazil, the frigate *Potomac*, of 44 guns, Captain Storer; the sloops of war *Concord*, Commander Boerum; *Marion*, Commander Belt; *Decatur*, Commander Ogden; and schooner *Enterprise*, Lieutenant Goldsborough; all under the command of Commodore Charles G. Ridgely.

Commodore Ridgely, having desired to be relieved, in consequence of ill health, and having been informed that his successor would soon leave the United States, returned home in the *Constitution*, leaving the squadron under the command of Captain Storer. This was in no wise injurious to the service; and the reasons assigned by Commodore Ridgely for his return before the arrival of his successor are altogether satisfactory to the Department. On the 1st of November the *Delaware*, of 74 guns, Captain C. S. McCauley, having on board Commodore Charles Morris, left Hampton Roads for this station. On her arrival, the squadron will consist of the *Delaware*, *Potomac*, *Concord*, *Marion*, *Decatur* and *Enterprise*, all under the command of Commodore Morris.

Nothing of particular interest has occurred in the operations of this squadron. The friendly relations of our country with the Governments of the coast have been strictly maintained, and the rights of our citizens have been duly respected by the local authorities.

#### *Stations in the West and East Indies.*

In the West Indies, the *Macedonian*, of thirty-six guns, Commodore Jesse Wilkinson; the sloops of war *Levant*, Commander Fitzhugh; and *Warren*, Commander Jameson. This squadron was ordered to return to the United States, to avoid the hurricane season in the West Indies, and is still here. The sloop of war *Vandalia*, Commander Ramsay, will take the place of the *Levant*, and the whole squadron will be ordered back to its station as soon as the vessels can be supplied with crews.

In the East Indies, the frigate *Constellation*, of thirty-six guns Commodore Laurence Kearney, and sloop of war *Boston*, Commander Long, all under the command of Commodore Kearney. The latest despatches from this squadron are dated at sea, off the Cape of Good Hope, 31st July 1841. At that time the officers and crews of both vessels were in good health, and they were making the best of their way to the place of their destination.

#### *Exploring Expedition.*

The exploring squadron, under the command of Lieutenant Charles Wilkes, consists of the sloop of war *Vincennes*, commanded by that officer; the *Peacock*, Lieutenant Hudson; the brig *Porpoise*, Lieutenant Ringgold; and the schooner *Flying Fish*, as a tender to the squadron.

Intelligence down to the 6th of April, 1840, has been communicated in previous reports from this department. At that time the squadron was in New Zealand. In further prosecution of his cruise, Lieutenant Wilkes visited the Feejee Islands, and succeeded in establishing useful regulations of trade and intercourse with some of the principal chiefs. His surveys of this group were prosecuted with great care and industry, and have served to ascertain the positions of a large number of dangerous reefs, and to indicate many secure and convenient harbors. This will be of great value to our citizens trading with that group, and particularly to the whalers. In many of the harbors, in which hitherto it was considered

too dangerous to enter, whales abound, although very few are to be found in the neighboring sea.

The melancholy tragedy which has already been announced in the public journals was enacted at this group. Lieut. Joseph A. Underwood and Midshipman Wilkes Henry, while engaged in surveying, were treacherously assailed by the natives, and, after a brave but ineffectual resistance, were murdered, before it was possible to relieve them. Their bodies were rescued and properly interred, and Lieutenant Wilkes inflicted on the offending savages a severe chastisement, which will probably deter them from similar outrages in future. He was also fortunate enough to capture a noted chief, who instigated the massacre of a greater part of the crew of the brig Charles Dagget, of Salem, in 1834. This chief he proposes to bring to the United States, to be dealt with as the Government shall direct.

At the last dates, 24th November, 1840, the squadron was at the Sandwich Islands, undergoing repairs. It was the intention of Lieutenant Wilkes to visit the North-West coast of America, and to return to the United States early in the summer of 1842.

#### *Squadron for Florida.*

A squadron of small schooners, under the command of Lieutenant John T. McLaughlin, has for some time been co-operating with the army in Florida. This force has been increased, since the last annual report from this department, by the addition of three revenue cutters, placed under the direction of the department for that purpose, by the Secretary of the Treasury, and a new schooner built under the direction of the War Department. The whole force now consists of seven schooners.

Important assistance has been rendered by this little squadron in the military operations in Florida. It has furnished the means of penetrating the interior of the country and attacking the enemy in his fastness. Lieutenant McLaughlin has manifested great bravery, energy and zeal, and much credit is due to him, and to the force under his command, for the handsome manner in which they have acquitted themselves.

In obedience to the act of July, 1840, the brig Consort, under the command of Lieutenant Powell, has been diligently engaged in the survey of the coast, from the Bay of Apalachicola to the mouth of the Mississippi. This survey was completed in June last, and Lieutenant Powell has since been engaged in the survey of the South shoals of Nantucket.

#### *On the coast of Africa.*

The brig Dolphin, Commander Bell, and schooner Grampus, Lieutenant Paine, returned, the former in May, and the latter in August last, from their second cruise on the coast of Africa. These vessels have been actively and efficiently engaged in the suppression of the slave trade, and in the protection of our citizens engaged in commerce on that coast. I regret to say that their officers and crews have suffered severely from the diseases of the climate; and it is owing in a great degree to the constant vigilance and prudent precautions of the commanders, that their sufferings were not still greater. Notwithstanding the extreme sickness of the climate, it is impossible to dispense with a squadron on that coast. In addition to the interesting duty of suppressing the slave trade, which could not be otherwise effected, the lawful commerce of our citizens with all parts of the coast is rapidly increasing, and already employs a very large capital. This trade is an object of so much importance, and is contended for in so strong a spirit of rivalry by traders of different countries, that the presence of national vessels is absolutely necessary to protect them in their just rights, and to prevent those outrages, unfriendly to the harmony of nations, to which men are often driven by the thirst of gain. It is also worthy of consideration, that the presence of our public vessels is of great importance to our colonists, by giving them consequence in the eyes of the neighboring native tribes. These views give great interest to this squadron, and render it desirable that it should be placed upon the most effective footing. Many additional precau-

tions, however, are necessary, in order to protect the crews from the fatal diseases of the climate, and thus to enable the squadron properly to discharge its duties. I have taken measures to obtain the requisite information upon this point, and hope to be able to avail myself of it when a new squadron shall be appointed to that service.

The operations of these vessels have been highly valuable in protecting the rights of our citizens engaged in trade, and in preventing the traffic in slaves. They have performed all that could have been reasonably expected of so small a force. An additional number of vessels, some of which should be of larger size, will undoubtedly be necessary for the security of our increasing trade in that quarter, and for the effectual suppression of the slave trade. This trade, I regret to say, is still carried on to a considerable extent, notwithstanding the vigilance of our cruisers, aided by the active co-operation of those of England.

#### *On the Coast of New Grenada.*

Representations having been made to the Department of an act of unlawful violence committed against American citizens on the coast of New Grenada, the brig Dolphin, under the command of Lieutenant McKeen, was despatched to that quarter in September last, with such instructions as were deemed necessary to redress the wrong, and to guard against the commission of similar outrages in future. Intelligence has been received as late as 15th October, at which time she had reached her place of destination. The particular outrage complained of was not committed upon an American vessel; but the presence of the Dolphin was nevertheless considered by our consular agent highly advantageous to American interests, in the then disturbed state of the country.

#### *Steam Vessels.*

The steamships Missouri and Mississippi, built under the act of 3d March, 1839, the former at New York, and the latter at Philadelphia, are nearly ready for service, and will form a part of the home squadron.

Orders have been given for the construction of three steamers of medium size, under the act of 3d March, 1841, one at New York, one at Philadelphia, and one at Norfolk. In addition to these, Captain R. F. Stockton is superintending the construction, at Philadelphia, of a steamer of 600 tons, to be propelled by Ericsson's propeller; and Lieutenant W. W. Hunter is engaged in like manner at Norfolk with one of 300 tons, to be propelled by submerged water-wheels invented by himself. Very valuable results are anticipated from these experiments.

Orders have been given to build a first-class sloop and three small vessels of war, and to finish the frigates Cumberland, Savannah, Raritan and St. Lawrence.

*(Conclusion in next Number.)*

In order to bring the documents from the Departments into this Vol. the present No. is principally occupied with them—our next will contain the remainder of the Report of the Secretary of the Navy, and the Report of the Secretary of the Treasury, if not too long for our No.

Several Governors Messages are on hand.

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[Concluded from page 400.]

## Report of the Secretary of the Navy.

### *Navy Hospital Fund.*

The balance in the Treasury to the credit of the navy hospital fund is \$217,907 53. This fund is gradually increasing, from the assessment of 20 cents per month upon the pay of officers, seamen, and marines, so that a continuing surplus may be expected. I recommend that authority be given to invest these surpluses, as they accrue, in some interest-bearing fund. So much of its annual increase as may not be needed for the particular purposes of the fund may be advantageously applied, in other forms, to the comfort of our seamen. The average annual increase of this fund, from the 1st January, 1836, has been \$27,213 67; which, if it had been invested in 6 per cent. stock, would have added to the amount \$57,482 04 on the 1st of January next.

Of the appropriation for the "suppression of the slave trade," there remains unexpended the sum of \$4,365 14, which has been carried to the surplus fund. I recommend that it be re-appropriated, and the further sum of \$3,000 be added, in order to meet outstanding liabilities of this fund.

Under the head of "contingencies not enumerated" there remains, of the appropriations of the last three years, the sum of \$9,246 76; of which \$3,246 76 will be carried to the surplus fund on the 1st of January next, if not previously applied to the proper purposes of the fund.

For the condition of the "Navy Pension Fund," I respectfully refer you to the annexed report of the Commissioner of Pensions.

### *Apprentice System.*

The operation of the apprentice system continues to be highly encouraging. Complaints are occasionally made that the pledges of the Government are not redeemed, but no sufficient evidence has yet reached the department of the existence of any serious abuse. Great interest is felt in the success of this experiment, and every effort is used to secure to the apprentices, all the benefits and advantages promised by the terms of enlistment. The vigilance of the department will be constantly exerted to guard against all abuses, and to introduce into the system every practicable improvement. The number of apprentices now enlisted is about 1,000.—This is not so favorable a result as might have been expected. An extension of the system is contemplated, so as to give to boys in the interior of the country an opportunity to join the service, without subjecting them to the expense of a journey to the rendezvous on the seaboard.

### *Difficulty in the enlistment of seamen.*

Great difficulty is experienced in the enlistment of seamen. To what cause this should be attributed I am unable to say; and, consequently, I am not prepared to suggest any remedy. It is, however, probably true, that the *mere seaman* is of too little consideration in the general estimate of the service. Laws and regulations securing to him the enjoyment of his just rights, liberal wages punctually paid, and a strict application, if not an extension, of the benevolent

policy which provides for him or his family when he is disabled or killed in the service, would probably secure for our ships of war the preference in most cases over those of the merchant service.

### *Experiments in gunnery and projectiles.*

Experiments in gunnery and projectiles, which have been conducted for several successive seasons, under the direction of Captain M. C. Perry, in the vicinity of New York, have been continued on board the United States steamer *Fulton*, Captain John T. Newton, but under the general control of Captain Perry. In testing a gun in the usual mode, it unfortunately burst, killing several men and wounding others. I have caused the subject to be investigated by a court of inquiry, whose finding shows that, however distressing and deplorable the accident may have been, no just censure can be attached to the officers who conducted the experiment.

Measures have been adopted, and are now in process of execution, for supplying the navy with the requisite guns. Less progress has been made than was desirable, because of the great pains which have been taken to obtain the *best* guns which could be procured in the country. In a short time they will be furnished of the various descriptions used in the service, including the Paixhan guns.

Under the appropriation of the last session, for the purpose of "making experiments to test the value of improvements in ordnance, in the construction of steamers and other vessels of war, and in other matters connected with the naval service and the national defence," nothing has yet been actually paid. Some experiments, however, have already been authorized, and others are now under the consideration of the department, from which very beneficial results are confidently anticipated. It is not proper, however, to make them public at this time. So many scientific and practical men throughout the country are now turning their attention to this subject, that we may reasonably expect great advantages from a judicious use of this appropriation.

I have, under your directions, taken measures for the construction of a steamer on Lake Erie, in compliance with the act of 9th September, 1841.

### *Preservation of live oak.*

I regret to say that the measures which have been adopted for the preservation of live oak and red cedar timber, under existing laws, have not been attended with the desired results. Whether this is owing to the inefficiency in the laws themselves, or to want of due vigilance and fidelity in the agents employed, I am unable to say; but I have the most conclusive evidence that the timber is daily taken in large quantities from the public lands, without authority and contrary to law. This is a serious mischief, and one which calls for prompt remedy. It is confidently believed that the agencies now authorized by law will not answer the purpose. The lawless bands who are engaged in these depredations pay no respect to the unsupported authority of the agents; and, as it is almost impossible to bring them to justice through the ordinary forms of trial, they are left to plunder unrestrained. The presence of a military force, charged with that especial duty, is believed to be absolutely necessary to preserve this most valuable timber. A very small force would answer the purpose. A single steamboat, with her ordinary crew and a few marines, under the command of an active and judicious



navy officer, would be able to pass rapidly from point to point, and extend full protection to every timber district which is accessible by water. The co-operation of revenue cutters might be afforded, if required. This would be at once the most effectual and the *cheapest* expedient. Agents might still be employed to watch the interior districts, and to give notice of all trespasses committed on them. Power should be given to arrest offenders, and to bring them before the proper tribunals for trial. The penalties and forfeitures prescribed by the acts of 1817 and 1831 are supposed to be sufficiently severe; the only difficulty now is to detect offenders and bring them to justice. Additional legislation, also, is probably necessary, to define accurately the limits of the reserved districts, and to prevent all interference with private rights. The whole subject is respectfully submitted as one which claims the early and serious attention of Congress.

#### *Water rotted American hemp.*

Every effort has been made, in compliance with the law, to obtain water rotted American hemp for the use of the navy, but hitherto without success. One contract has been made, but the contractor has been unable to comply with its terms. We are, therefore, for the present, thrown upon our former resources for a supply of this article, but I shall continue to use all possible exertions to carry out the wise policy of Congress upon this point.

#### *Necessity of reformation in our naval establishment.*

That *reform* is necessary, in every part of our naval establishment, is on all hands admitted; and it is a subject of general regret that it has been so long delayed. The delay has been in the highest degree injurious to the service, and is daily rendering reform more and more difficult, as it becomes more and more indispensable. Impressed with this truth, and anxious that no time should be lost in commencing this important work, I respectfully bring it to your notice at the earliest day. I do not propose, however, to present at this time more than the mere outlines of the many important subjects to which I desire to invite your attention. It is presumed that Congress, if it should act upon the subject at all, will refer it to committees of their own body, before whom I hope to be prepared to lay all the information that may be required.

The first step ought to be the preparation of a full code of laws and rules for the government and regulation of the naval service. Without this, every other measure of reform will be unavailing. It is of the essence of free government that the rights, the duties, and the responsibilities of all men, in all conditions, should be ascertained and accurately defined; and it is of the essence of tyranny that men should be punished for imputed offences, or at the arbitrary discretion of their judges. This truth applies with peculiar force to those who are engaged in military service. The strict discipline which that service requires, renders necessary a great variety of rules which would be useless in the ordinary conditions of society, which involve no moral or social crime, but which, nevertheless, it is often necessary to enforce by the most rigorous sanctions. It is in the highest degree unjust in itself, and violative of the spirit of our institutions, that these new and peculiar responsibilities should be in any respect uncertain. And yet it is in many cases extremely difficult to determine, according to existing rules, what is and what is not an offence in our naval service; and in a great variety of cases it is altogether uncertain and dependent upon the arbitrary will of courts martial in what mode and to what extent offences, real or imputed, shall be punished. A short review of our legislation on this subject will serve to present it in its proper light.

#### *General rules and regulations enacted.*

By the act of Congress approved 23d April, 1800, certain general rules and regulations were enacted embracing the most prominent and important subjects relating to the service. These are still in force; but, although they are of a character to apply to the Navy, in whatever condition it may be placed, and were deemed altogether sufficient for it in its then infant

state, they are too few in number, and enter too little into details, to answer their purpose at the present day. Acting upon this idea, the Board of Navy Commissioners, soon after its establishment in 1815, compiled "Rules, Regulations and Instructions for the Naval Service of the United States," "with the consent of the Secretary of the Navy, in obedience to an act of Congress passed 7th February, 1815, entitled an act to alter and amend the several acts for establishing a Navy Department, by adding thereto a board of commissioners." This compilation, commonly called the Blue Book, is still *practically* in force, and, together with the act of 1800, constitutes the only system of rules and regulations for the government of the Navy.

By the act establishing the Board of Navy Commissioners it is provided "that the said Board of Commissioners, by and with the consent of the Secretary of the Navy, be, and are hereby, authorized to prepare such rules and regulations as shall be necessary for securing a uniformity in the several classes of vessels and their equipments, and for repairing and refitting them, and for securing responsibility in the subordinate officers and agents; which regulations, when approved by the President of the United States, shall be respected and obeyed, until altered and revoked by the same authority; and the said rules and regulations, thus prepared and approved, shall be laid before Congress at their next session." Whether or not the Blue Book (which derives its authority from this law alone) was ever approved by the President of the United States, or laid before Congress I have no means of ascertaining. The probability is that it was *not* approved, as the book itself contains no evidence upon the subject.—But, even if both these formalities were observed, it is altogether clear to my mind that the Commissioners acted without authority in prescribing many of the rules and regulations contained in that book.

The obvious intention of the act of Congress is to make the Navy Commissioners the ministerial agents of the Secretary of the Navy, for certain purposes. He has no authority to employ any *other* agent for those purposes. Among other things, it is their duty, under the second section of the act, "by and with the consent of the Secretary of the Navy, to prepare such rules and regulations as shall be necessary," in the execution of the specific duties therein assigned to them, and for "securing responsibility in the subordinate officers and agents" *employed in those duties*. There is nothing in the terms of the act, and nothing in its plain purpose and intention, to authorize the Commissioners to prepare a *general* code of rules and regulations for the government of the navy. They were strictly confined to the purpose mentioned in the act, to wit, "securing a uniformity in the several classes of vessels and their equipments, and repairing and refitting them." For these purposes and for no other, they had authority to prepare, by and with the consent of the Secretary of the Navy, such rules and regulations as they might deem proper; and, as a necessary incident of this authority, to prepare additional rules for securing responsibility in their subordinate agents.

That this is the true meaning of the act of Congress is so apparent that I deem it wholly unnecessary to enter into a more critical examination in order to prove it.

But the Blue Book is not confined to these objects. It contains a great variety of rules and regulations applying to every department of naval duty, and to every officer and man connected with the naval service. It is designed as a general code of rules and regulations for the government of the navy, and, as such, it is universally received, and daily acted on.

Under this code, thus questionable in its authority, and altogether insufficient in itself, the navy has been governed for twenty-three years! There is, in truth, no law upon the subject—no obligatory rule whatever, except what is found in the act of 1800; and that is altogether imperfect and inadequate.

#### *Amended rules and regulations.*

This subject was brought before Congress in 1832. A law was passed in that year authorizing the President to consti-

tute a board of naval officers, to be composed of the Navy Commissioners and two post captains, whose duty it should be, "with the aid and assistance of the Attorney General, carefully to revise the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of the service; which rules and regulations, when approved by him and sanctioned by Congress, should have the force of law, and stand in lieu of all others theretofore enacted." The Board thus constituted convened in November of the same year. In November, 1833, they submitted the result of their labors to the Secretary of the Navy, and on the 23d of the following month the rules and regulations thus prepared were approved by the President of the United States, and submitted to Congress. On the 7th February, 1834, the chairman of the Naval Committee of the House of Representatives moved that 1,000 additional copies be printed, which was directed on the following day. On the 1st May, 1834, the President submitted to Congress "certain proposals for amending the present laws in relation to the naval service." Whether or not these were the same proposals which he had previously submitted, (viz. on the 23d December, 1833,) I am not informed, nor is it of any importance in itself. The probability is, that some amendment of the rules originally prepared was presented in May, 1834. On the 8th of the same month, the chairman of the Naval Committee of the House of Representatives reported a resolution for the printing of 1,000 additional copies of the *amended* rules and regulations for the government of the Navy. No further action was had upon the subject, and Congress adjourned on the 30th of the following month.

From this statement it appears that this important subject has been before Congress ever since the year 1832, and that nothing effectual has yet been done to accomplish the object of the act of that year. Soon after the appointment of Mr. Paulding as Secretary of the Navy, he took the subject up, and urged it with all proper zeal. Such, however, was the pressure of other duties upon the Board that it was impossible for them to attend to the revision of the naval code, as Mr. Paulding desired, until December, 1840. On the 19th of February, 1841, they submitted their report to the Secretary of the Navy, who approved thereof, but did not lay it before Congress, as the act of 1832 directed. Neither was this done at the called session of May last. I have now the honor to lay this report before you, and to ask that it be submitted to Congress.

I cannot recommend the approval of these rules and regulations. I believe them to be objectionable in many important respects; and as the further action of Congress in regard to them is necessary, I recommend that they be again submitted to revision. I would respectfully suggest that the preparation of rules and regulations for the government of *all* classes and grades in the Navy ought not to be entrusted to any *one* of them exclusively. A mixed commission, embracing the civil as well as the military departments of service, would, it is believed, be best qualified to adapt to every part of the service the proper laws and rules for the government and regulation of it. Such a commission might, with the aid of the rules now submitted, easily report to Congress in time for its action during the present session.

#### *Evils from the want of a proper naval code.*

The evils resulting from the want of a proper naval code are of the most serious character, and will, if not remedied, ultimately ruin the naval service of our country. What can be expected of a community of men, living together under circumstances tending to constant excitement and collisions, with no fixed law to govern them, and where even rank and station are imperfectly defined? The necessary consequence of such a state of things must be, disputes, contests, disorder, and confusion. Sometimes unauthorized power will be assumed, and at other times lawful authority will be disobeyed. It is impossible that a wholesome discipline can prevail in this uncertain condition of official rank and authority. The same uncertainty prevails in regard to punishments. The unbounded latitude of discretion allowed to courts martial in this respect is of most evil consequence, and calls loudly

for correction. It invites to the indulgence of prejudice and favoritism—subjecting light offences to undue punishment, and suffering great offenders to escape with trivial penalties. And, even if no such improper bias could be supposed to exist, it is not to be expected that all courts will look upon all offences with the same eye. Men of lenient and indulgent feelings will punish lightly the same offences which those of a different character will punish with the most rigorous severity. Hence an inequality of punishment will prevail, odious in itself, calculated to excite discontent, to bring courts martial into disrepute, and to destroy the just influence of their sentences, as a means of preserving the honor and discipline of the service. To prevent these evils, to remedy the disorders which now prevail, and to place the Navy in a healthy and efficient condition, it is absolutely necessary to provide for it a code of laws and rules which shall accurately define rank and authority, plainly prescribe duties and responsibilities, and ascertain crimes and their punishments. And I would respectfully urge upon the proper departments of the Government the indispensable necessity of entering upon this important work without loss of time.

#### *Re-organization of the Navy Department.*

The subject next in importance is the re-organization of the Navy Department. I have had but a short experience in this Department; but a short experience is enough to display its defects, even to the most superficial observation. It is, in truth, not organized at all. The labor to be performed must, under any circumstances, be great and onerous; but it is rendered doubly so by the want of a proper arrangement and distribution of duties. At present, a multitude of duties are imposed upon the head of the Department, which any one of its clerks could discharge as well as himself, but which, from their pressing nature, he is not permitted to postpone. Hence, his whole time is occupied in trifling details, rendering it impossible for him to bestow the requisite attention upon more important subjects, involving the great interests of the service. These details are indeed so numerous and multifarious as to constitute in themselves an amount of duties fully equal to the powers of any one man. In addition to this, the present want of proper arrangement is extremely unfavorable to that direct individual responsibility which it is so necessary to impose on every public officer. The same cause occasions delays in the operations of the Department, by rendering necessary a variety of tedious official forms, and consequently preventing that promptness of action which is indispensable to its due efficiency. And it is not the least among the evils of this state of things that the precise condition of the several branches of the service cannot be ascertained without much time and labor; thus adding to the cost of the Department, while it diminishes its usefulness. These inconveniences and embarrassments, and many others which are daily felt, in the administration of the Department, would in some degree be removed by a mere re-arrangement and proper distribution of the labor now employed in it; but additional labor is absolutely necessary, in order to enable it to discharge its functions in the manner required in the interest of the service. It would not be proper to enter into all the details of the subject in this report. It is already before Congress, and will doubtless receive the early attention of that body. A resolution was adopted by the House of Representatives on the 19th February, 1839, directing the Secretary of the Navy to "report to this House, at the commencement of the next Congress, a plan for the re-organization of this branch of the public service, adopting as the basis of his plan the division of the duties now performed by the Board of Navy Commissioners, and their assignment to separate bureaux." In obedience to this resolution, Mr. Paulding, the then Secretary, submitted on the 30th December, 1839, a long and elaborate report, "based on the principle presented in the resolution." To this report I respectfully refer. In most of its views, and in all of its more important conclusions, I fully concur. I do not, however, adopt his plan precisely as he has proposed it. Some change in the principles, and some additional provisions, will probably be necessary, which the experience of the Department will enable it to suggest, in arranging the details

of the law. I earnestly invoke immediate attention to the subject, firmly believing that the proposed reform is indispensable to the due administration of the Department, and that it cannot be longer delayed without serious injury to the service.

#### *Increase of the Navy.*

There is reason to believe that it is now the settled policy of the Government to increase the Navy as rapidly as the means at its disposal will admit, and it may therefore be unnecessary that I should offer any suggestions upon that subject. I should not feel, however, that my duty was properly discharged if I should fail to add whatever influence my own recommendation may possess to the many considerations which suggest this as our true policy.

We may safely estimate the mercantile property of our citizens annually afloat on the ocean, and employed in foreign trade, at not less than one hundred and twenty millions of dollars; and to this is to be added the value of the vessels in which that property is conveyed, and the value of American interests vested in mercantile establishments abroad, and dependent on American trade. The coasting trade, not including such articles as are exported, cannot be accurately estimated, but it certainly amounts to many millions of dollars. Taking the aggregate of all property annually exposed to an enemy on the ocean, on the lakes, and on our principal bays and rivers, it will probably be found that it does not fall short of one hundred and fifty millions of dollars. So large an interest is entitled to demand, and justly expects to receive, the most certain and ample protection. This is due alike to the citizen whose property is thus exposed, and to the Government whose revenues are derived principally from the duties which that property pays. But that protection can be found only on the ocean. Trade is never secure unless it can, at all times and in all places, appeal for support to the national flag; and it ought to feel that it is safe wherever that flag is displayed.

Every nation engaged in foreign commerce to any valuable extent provides, as a part of its established policy, an adequate military marine. Our own country is far behind all the considerable nations of the world in this respect. As compared with England and France, the two principal commercial nations of Europe, it is found that England, with much less than twice our foreign tonnage, has more than eight times as many vessels of war, exclusive of her steam ships; France, with only one-third of our foreign tonnage, has more than five times as many vessels of war. The comparison might be still further extended, scarcely less to the disadvantage of our own country. It may well excite surprise that, with so large an interest at stake, and with a certainty that it will rapidly increase from year to year, so little preparation should have been made for its protection and security; and this surprise will not be diminished when we reflect on the vast interests which are connected with, and dependent upon, our foreign commerce, and which must necessarily flourish or decay along with it. The farmer, the planter, the mechanic, the manufacturer, and even the day laborer, depends, in a greater or less degree, upon this for the success of his own peculiar branch of industry; and even the fine arts themselves are not exempt from the same influences. Commerce may be regarded as our principal interest, because, to a great extent, it includes within it every other interest.

Wars often arise from rivalry in trade, and from the conflicts of interests which belong to it. The presence of an adequate naval force, to protect commerce, by promptly redressing the injuries which are done to it, is one of the best means of preventing those disputes and collisions which are so apt to interrupt the peace and harmony of nations.

But these views, although sufficiently important in themselves to justify and require a very large increase of our naval force, are by no means the most interesting which the subject suggests. Ranking in the first class of nations, we are under an absolute necessity to regulate our policy, in some degree, by that of other countries, so far as their policy may affect us. All the considerable maritime Powers have, within late years, added greatly to their naval forces, and are at this

moment actively engaged in the same work. This fact alone would seem to render it absolutely necessary that we should make similar preparation on our part. In proportion as other countries multiply the means by which they may annoy us, we ought, in common prudence, to add to our own defences and to our own means of resisting insult and injury. Any other course will only invite aggressions upon our rights, which will continue to increase so long as we shall patiently bear them, and which must ultimately force us to resistance, at the precise time when we are least prepared to make it successfully.

Free governments, which are necessarily more embarrassed in their councils, and slower in their action, than those which are not bound to observe the necessary forms of free government, have a peculiar interest to guard their soil from invasion. The nature of our institutions presents a very strong appeal upon this point. A war between the United States and any considerable maritime power would not be conducted at this day as it would have been even twenty years ago. It would be a war of incursions, aiming at revolution. The first blow would be struck at us through our own institutions. No nation, it is presumed, would expect to be successful over us for any length of time, in a fair contest of arms upon our own soil; and no wise nation would attempt it. A more promising expedient would be sought, in arraying what are supposed to be the hostile elements of our social system against one another. An enemy so disposed, and free to land upon any part of our soil which might promise success to his enterprise, would be armed with a four-fold power of annoyance. Of the ultimate result of such incursions, we have no reason to be afraid; but, even in the best event, war upon our own soil would be the more expensive, the more embarrassing, and the more horrible in its effects, by compelling us at the same time to oppose an enemy in the field and to guard against attempts to subvert our social systems.

#### *Exposure of the Seaboard.*

Heretofore we have found in the shallowness of many of our waters security, to a certain extent, against invasion by sea. So long as maritime wars were conducted in vessels of large size and great draught, we had little to apprehend from them except at a few points, and those were susceptible of adequate defence on land. But this security can no longer be relied on. The application of steam power to vessels of war, and the improvements which have recently been made in artillery, are destined to change the whole system of maritime war. Steamboats of light draught, and which may be easily transported across the ocean in vessels of a larger class, may invade us at almost any point of our extended coast, may penetrate the interior through our shallow rivers, and thus expose half our country to hostile attacks. The celerity with which these movements could be made, the facility with which such vessels could escape, and the promptness with which they could change the point of attack, would enable an enemy, with a comparatively inconsiderable force, to harass our whole seaboard, and to carry all the horrors of war into the securest retreats of our people. The effect of those incursions would be terrible everywhere, but in the southern portion of our country they might, and probably would be disastrous in the extreme.

It is obvious that a war thus conducted must be successful to a very great extent, in spite of all the defences on land which we could contrive. Nothing less than the conversion of half our country into a military garrison could protect us against it. Such is the exposed condition of our country, such is the character of our institutions, and such the position of our people, that a population of twice our present number, under the best possible military organization, would avail us but little. Whilst the combined powers of the world could not subdue us, even a secondary naval power could avoid our land defences, set our armies at defiance, and prosecute against us a war intolerably harassing and disastrous.

The single question, then, which we have to decide, in reference to this subject, is, where and by whom shall those battles be fought, which may hereafter become necessary in defence of our property, our institutions, our honor, and our

lives? Shall we meet the enemy upon the ocean, with men trained and disciplined for the contest, or suffer him to land upon our shores, trusting to a scattered and harassed people to expel him from their farms and their firesides? This question admits of but one answer. But it is worse than idle to suppose that all those high interests to which I have alluded can be adequately protected by our present naval force.—Four thousand miles of exposed sea and lake coast, a foreign commerce scattered through the most distant seas, and a domestic trade exposed alike upon the ocean and upon our interior waters, are, in effect, surrendered to the enemy, when they are entrusted to the protection of some twenty ships in commission.

If these views be not altogether deceptive, the policy of increasing our navy, without further delay, is obvious. *How far* it shall be increased, the wisdom of Congress will decide. Looking to it as the chief, if not the only adequate defence of our country against those wars of incursions from which so much evil is to be apprehended, I respectfully suggest that we cannot safely stop short of half the naval force of the strongest maritime power in the world. Our policy is peace, and we do not propose to ourselves a war of aggression in any case, except so far as may be necessary as a measure of defence. It is not probable that any nation could detach from other service more than one-fourth of its whole naval force, to attack us upon our own coast; so that, after deducting such part of our own force as we could not employ at all, and such part as we should be compelled to employ elsewhere, we might reasonably hope to repel from our shores any maritime power, with only half its force in ships. With less than this, our fleets would serve only to swell the triumphs and feed the cupidity of our enemy. It is better to have none at all than to have less than enough. I am aware that this great increase of our naval power cannot be effected in any short time. I propose it only as the object at which our policy ought to aim, and towards the attainment of which your measures ought to be steadily directed. An annual appropriation, as liberal as the means of the Treasury will allow, will in a few years accomplish all that is desirable.

#### *Steamships of War.*

Of what description of vessels our navy ought to be composed, is a question of great importance, and one which we are compelled to decide with reference to the practice of other countries. Doubtless a very large part of it ought to consist of steam ships. Experience has shown that these vessels may be rendered perfectly safe at sea, and that they may be so constructed as to adapt them, in other respects, to purposes of war. Of their great usefulness the world has had a striking proof in the recent operations of the British squadron on the coast of Syria—troops were transported a distance of two thousand miles over the ocean, and were engaged in battle in Asia Minor on the sixteenth day after leaving England. This and other facilities afforded by this class of vessels were so great and effective that the admiral declared that “his success was owing to the efficiency of his steamers.” We may well profit by the lesson thus taught us. I respectfully suggest, however, that it would not be wise in us to engage very extensively in the construction of steam ships of war of the largest class at this time. Imitating the example of England, our wisest policy would be to aid the private enterprise of our citizens in constructing packet ships, to ply between this country and foreign ports. These should, of course, be so constructed as to fit them for war purposes, and should be held subject to the demand of the Government, upon equitable conditions. There will, in all probability, be enough of such vessels to answer all the purposes for which steam ships of the largest class would be required, and they would be furnished at a comparatively small cost to the Government. Improvements are daily made not only in steam machinery, but in the propelling power applied to steam vessels. Experiments are now in progress which promise important results in these respects, and it would probably be judicious not to expend large sums in the construction of steam ships for distant cruises until these results shall be made known. But the same reasoning does

not apply to steam vessels of a smaller class, destined for the defence of our own coast and harbors. These ought not, under any circumstances, to be delayed. They would be particularly useful on the lakes and in the Gulf of Mexico. On the lakes they might be advantageously employed, under proper regulations, in the revenue service. They would be peculiarly adapted to the Gulf of Mexico, in consequence of the calms and currents which prevail there, and of their greater facility in making harbor in the violent tempests which are so common in that latitude. There is, in truth, but the single harbor of Pensacola in which a ship of large draught can find shelter, although there are many which afford sufficient depth of water for steam vessels of the proper size. These vessels should be built of white oak, reserving the live oak for those of a different class.

#### *Steam ships of Iron—Experiment recommended.*

Steam ships have been built in Europe altogether of iron. As far as the experiment has been made, it is understood to have been successful. I recommend that it be made here also, with at least one vessel of medium size, sufficiently large to afford a fair test, without exposing too much to the hazard of failure. The great abundance of that material found in all parts of our country affords us every facility which can be desired; and our workmen will soon acquire, if they do not now possess, the requisite skill in converting it into vessels. We may thus acquire a cheap and almost imperishable naval force, while, at the same time, we afford encouragement to some of the most useful branches of our home industry.

#### *No necessity to increase the number of our Line of Battle Ships.*

In my opinion, there is no necessity at present to increase the number of our line of battle ships. Some of those which we now have would be more useful if cut down to frigates of the largest class. There is, even in the present condition of the service, a pressing demand for sloops of war, brigs, and schooners; and I recommend that a suitable number of them be immediately built. Not less than ten are necessary, even in the present condition of our Navy. One of them should be kept in commission and ready for service at each of our principal ports; and this may be done without any considerable additional expense, because they will always be prepared to perform a variety of duties for which the Government now pays high prices to merchant vessels. Moreover, they may be built of such timber as is rejected in the construction of larger vessels. It is proper that we should have some of our vessels always ready for sudden emergencies, and none are so cheap or so convenient as brigs and schooners.

#### *A large addition to our Frigates.*

In view of any considerable increase of the Navy, a large addition to our frigates of the first class ought to be made. Our present 44 gun frigates would not encounter, upon equal terms, the modern frigates of the first class of England and France. To enable us to contend successfully with these, the principal maritime powers of Europe, we must not only increase our general naval force in proportion as they increase theirs, but we must also build vessels of corresponding size and description with those which they will use against us.

#### *Establishment of higher grades in the naval service.*

I renew, with anxious desire for its success, the recommendation so often made by my predecessors for the establishment of higher grades in the naval service. This will be absolutely necessary if the Navy should be considerably increased, and would be highly useful even in its present condition. The rank of admiral is known in all the navies of the world except our own; it has existed through a long course of past ages, and has been fully tested in the experience of all nations. *It still exists, and is still approved.* I can perceive nothing in our peculiar situation to prevent us from profiting by the lesson thus afforded. That which has been found valuable in the naval service of other countries, we have good reason to believe, will be equally valuable in our own. But, apart from this view of the subject, there are



many reasons of a positive character why we should no longer delay to place ourselves upon an equality, in this respect, with all the considerable nations of the world.

It is, as a general rule, wise and politic to establish as many, grades as possible in all military service. The officer should always have before him some station, yet to be reached, and worthy of a high and generous ambition. He who has attained all that is attainable has no need of any further exertions than just enough to sustain him where he is; all beyond this is supererogatory, for he is not permitted to hope that either the utmost exertions of his powers, or the most generous self-sacrifices in the public service, will ever raise him one grade higher in the ranks of his countrymen.

A captaincy in the Navy is of very difficult attainment, according to our slow rate of promotion; yet all those who are fortunate enough to reach it continue to feel, in no less degree than before, the depressing influences to which I have alluded. They daily see, in the navies of other countries, men, not older in the service than themselves, nor more worthy in any respect, filling higher stations, and enjoying more distinguishing proofs of the confidence and gratitude of their country. They also see men, of *equal* grade with themselves, cheered and encouraged by the hope of a well deserved preferment, to which they know that their own country does not permit them to aspire. What can be more natural than that they should feel disheartened and mortified ultimately be forced to compare, disadvantageously to their own country, its naval service with that of other nations?

#### *Rank of the officers in the Army.*

It is considered wise and proper in the army to raise the rank of the officer in proportion to the number of men subjected to his command. There are in that service nine different grades of commissioned officers, while in the navy there are but three; hence it is very difficult to arrange the comparative ranks of the two services. Indeed, it is impossible to do it without *supposing* new ranks in the navy, unknown to the law. This, though not a very serious evil, is an inconvenience which it is desirable to avoid; and, so far as the *good* of the service is concerned, it is not perceived why a captain in the navy should be considered better adapted to the command of a fleet, than a brigadier general in the army to the command of a division. The two services equally require *rank* according to the extent of command. It is true there is no necessity for so *many* grades in the navy as in the army; but the difference is in the lower grades only, and not in the higher.

#### *Embarrassments in the interchange of civilities with naval officers of other countries.*

Our naval officers are often subjected to serious difficulties and embarrassments in the interchange of civilities with those of other countries on foreign stations. The admiral of England, France, or Russia, is not willing to admit that he is of no higher grade than the post captain of the United States. Our commanders, in order to enforce from other countries the same respect which they themselves are willing to pay, are compelled to insist that the highest grade of service in the United States, by whatever title it may be distinguished, is equal to the highest grade of service in any other country; and, of course, that an American post captain is of equal rank with the admiral of any other country whose commission is not of older date. This claim is at least very questionable. Rank is a positive thing, and, by the consent and usage of nations, is indicated in the naval service by the flag which the commander wears. It is not surprising, therefore, that the admirals of Europe should refuse to recognize as their equals in rank the captains of the United States, whose very flag affords conclusive proof that their own country regards them as inferior. It is true this claim of equality has in some instances been allowed, but it is generally denied; and hence that interchange of friendly courtesies, so useful in preserving the harmony and good understanding of nations, has often been prevented. In war, the inconvenience would be still more serious. Whatever concessions might be made in time of peace, from feelings of respect and courtesy, no just claim of rank would be yielded

in time of war. The American captain, called to act in concert with the admiral of a friendly nation, of younger date, would necessarily be compelled to yield the honor of the chief command, or to contest it at the price of that harmony which would be necessary to the success of their joint enterprise. It is not to be supposed that nations, whose systems have been so long established and acted on, will yield in this respect to the peculiar views and wishes of the United States. The inconveniences resulting from our anomalous position are seriously felt, and ought, in my opinion, to be removed by placing our officers on a ground equally advantageous with that which is occupied by those of other countries and corresponding commands.

#### *Ranks in the Navy useful as an instrument of discipline.*

Additional ranks in the Navy would be eminently useful as an instrument of discipline. The post captain of to-day is precisely equal in rank to the oldest post captain in the service. He *feels* his equality from the first moment that he attains it, and at the same moment the disinclination to be commanded and controlled by his equal rises with him. He will not willingly submit to learn, as a scholar, what his own position authorizes him to *teach*. He looks to a separate command for himself; he begins to lay down systems of his own, and turns a deaf ear to the lessons of experience imparted by older heads, because they cannot claim any higher rank. The respect and deference, so necessary to discipline, are rarely felt, except where there is a difference of rank: and they are most strongly felt where that difference is greatest. In this way the creation of higher grades would be advantageously felt through all the grades below them. It would be particularly beneficial in its influences upon the younger classes of officers, upon whom it is so important that correct impressions should be made.

#### *Advancement in the service.*

There is yet another encouragement which should be held out to our Navy in a much more liberal spirit than has heretofore been manifested. Advancement in the service has been so slow, as to render it almost hopeless to a large number of our most promising officers of the lower grades. Many would long since have retired from it in despair, but for the fact that their education and pursuits unfit them for profitable occupations on shore. Surely an officer who has faithfully devoted to his country twelve or fifteen years of the prime of his life, and at the expense of all qualification for other pursuits, is entitled to be advanced at least one grade in the ranks of her service. I respectfully submit that it is not wise in us to place ourselves in a position to be compelled to entrust to age and imbecility the duties which require the vigor and energy of younger years; and yet, under the systems which have heretofore prevailed, there are few who can hope to attain the higher commands, until they have also attained a period of life at which the best powers of man begin to decay.

#### *Begin to train a suitable band of officers to take charge of our Navy.*

If it be our purpose to increase our naval force, we cannot too soon begin to train a suitable band of officers to take charge of it. It is to be borne in mind, that although we can *build* a good ship in a few weeks, it requires twenty years of arduous service, of active instruction, and of strict discipline, to qualify an officer to command her. If, therefore, we would be prepared for the exigencies of the next twenty years, we must begin our preparations to-day. It is mere prodigality to build ships, if we have no officers to command them. There is no school for the sea officer but the ship itself. The theory which he may acquire on shore, although a necessary part of his education, only prepares him to *begin* to learn what he is required to know as a naval commander. A small fleet, properly employed, will afford such a school to pupils enough to supply a large one. We should not, therefore, wait to build new ships, before we begin to train their officers. We have at present not enough for our Navy, if all our ships were in commission. Those ships, if

actively employed, together with such as shall be built from time to time, even under the most restricted scheme for the increase of our naval force, will afford all necessary means of employing and training twice the present number of our officers of every grade.

#### *Marine Corps.*

There is an absolute necessity for a large increase of the marine corps. On this subject I refer to the accompanying letter of Colonel Henderson, and the tables which he has prepared for the information of this Department. From these it will be seen that nothing less than three times the present number of marines will answer the exigencies of the service, even without any increase of our present naval force. Requisitions are frequently made for marines, with which it is impossible to comply, however necessary their services may be. In some cases, officers in command of important posts have felt it due to themselves to inform the Department that they could not hold themselves justly responsible for the safety of the public property entrusted to their charge, for want of the force necessary to protect it. At present, citizens are employed as watchmen at Navy Yards, at prices greater in some instances than the wages of marines; and as they are not liable to martial law, and are free to quit the service when they please, great inconvenience is frequently experienced, and the public property is not always duly secure. A sufficient force for all such purposes ought to be provided, of men belonging to the service, and amenable to the laws which regulate it.

Of the importance of marines in the naval service, but one opinion is now entertained. The principal maritime nations of the world, with the exception of ourselves alone, have within late years greatly increased this part of their force. I respectfully suggest that there should be provided for each ship not less than one marine for every gun, besides a sufficient number for the police of naval stations on shore. A still larger proportion of marines would, in the opinion of experienced officers, be highly valuable in the service.

The laws and regulations for the government of the marine corps are extremely imperfect, and require amendment. A new code has already been prepared by a board of officers constituted for the purpose, which it is proposed to incorporate in the general revision of the naval code, hereinbefore recommended.

#### *Naval Schools.*

The propriety of establishing naval schools has frequently been submitted to the consideration of Congress. I again respectfully bring it to your notice, as a subject of increasing interest to the Navy. The use of steam vessels in war will render necessary a different order of scientific knowledge from that which has heretofore been required. If our Navy should be increased by the addition of any considerable number of steam vessels, engineers will form an important class of naval officers. It will be necessary to assign to them an appropriate rank, and to subject them to all the laws of the service. Great care should be used in the selection of them, because a great deal will depend on their skill and competency; hence it is necessary that they should pass through a prescribed course of instruction, and that the government should have the proof of their competency which an examination, conducted under their own rules, would afford. This important object can be best attained by the establishment of naval schools, provided with all the necessary means of uniting practice with theory. The advantages which the army has derived from the academy at West Point afford a sufficient proof that a similar institution for the Navy would produce like results.

#### *Situation of the Professors of Mathematics.*

In connexion with this subject, I would ask your attention to the situation of the professors of mathematics now employed in the service. This useful class of men have no permanent connexion with the Navy, but are called in only as their services are needed, and are not paid except when on actual duty. The consequence is, that they cannot rely on this employment for support, and are often reluctantly

driven to other pursuits. It is to be presumed that men whose talents and attainments qualify them to be teachers in the Navy, are equally qualified to be teachers on land; and, as this latter is the less precarious position, the best qualified will be the most apt to seek it. Hence the Department cannot rely with any assurance on being able to command suitable professors at all times when their services may be required. It is, I think, of great importance that some provision should be made upon this subject. I also recommend that a certain rank or position be given to the professors, which will relieve them from the necessity of messing and sleeping with their pupils. This close and constant association is well calculated to weaken the respect and influence which their relation to the young officers ought to inspire, and which is absolutely necessary to give due effect to their instructions. I doubt whether their services upon the present system are worth the money which they cost, although they would be highly valuable under proper regulations.

#### *Estimates and appropriations for the Navy.*

It will be perceived that the estimates for the ensuing year are much larger than they have heretofore been. It is confidently believed, however, that nothing has been asked for which is not necessary, and that nothing which is deemed necessary has been over estimated.

Having recommended a large increase in most of our squadrons, it followed, of course, that I should ask the requisite appropriations to support them. Presuming that Government does not build ships without designing to use them, it would appear to be the obvious duty of this Department to keep as many of them in constant service as can be profitably employed. This is, indeed, the true economy. Some of our finest ships have decayed to a serious extent, while yet upon the stocks, and still more have, after having been launched, required expensive repairs before they have been sent to sea. This is the necessary consequence of keeping them in our docks. Ships in actual service are generally clean, tight, dry, and properly ventilated. A careful guard is kept over them, so that slight decays are immediately detected, and repaired without any considerable expense. It has frequently happened that our vessels have been found, after their return from long cruises, in better order for service than when they left the docks. On the other hand, when they are kept in port without crews, they decay rapidly for want of the care and attention necessary to preserve them. It may well be doubted whether the aggregate of losses sustained and repairs rendered necessary, by the non-use of our vessels, has fallen very far short of what it would have cost to keep them in commission.

But this is the least part of the evil. While our vessels are unemployed, our officers are idle. They thus lose the opportunity of acquiring a due knowledge of their profession, and naturally fall into those injurious habits which idleness always engenders. It would not be surprising if they should forget in some degree, their respect for the flag which they are so rarely permitted to hoist, and lose, in indolence and despondency, the lofty spirit and generous aspirations to which the Navy owes its vast renown. I am happy to assure you that its present *personnel* does not deserve this neglect. At no previous time has it been able to boast of so many able officers of the higher grades, or of so many young officers of fine spirit, good attainment, and fair promise. Nothing is required but to brush off the rust of idleness by giving them employment, and to hold out to them the encouragement of a reasonable hope that a life devoted to the country, in the arduous service of the sea, may claim at least, the reward of that country's notice and respect.

Other reasons for the present increased estimates will be found in the report of the Navy Commissioners, which I herewith present. Their statement is so minute and specific and at the same time so condensed, that it conveys all needful information upon this point, in as few words as I could use for the same purpose. I content myself, therefore, with a simple reference to that document, remarking, at the same time, that it meets my entire approval.

*Navy Yard at Pensacola.*

It will be perceived that a very small appropriation is asked for continuing the necessary work at the Navy Yard at Pensacola. The great importance of that yard is fully appreciated, and every effort will be used to complete it in as short a time as possible. It is believed, however, that the appropriation now asked is as large as can be advantageously used during the next year. I shall not hesitate to ask an additional appropriation should it hereafter appear to be necessary.

*Navy Yard at Brooklyn.*

I invite your attention in an especial manner, to the navy yard at Brooklyn. Should the Government proceed with the construction of the dry-dock at that place, it is believed to be absolutely necessary to enlarge the yard to a very considerable extent. There is not at present a sufficient water front for the accommodation of half the number of vessels which will probably be assembled there at one time; nor is there within the yard space enough for conducting advantageously the necessary mechanical operations of such an establishment. It is also worthy of consideration that the safety of the yard is much endangered by the adjoining private buildings, one of which is a turpentine distillery, and nearly all of which are built of wood. In case of fire on that side of the yard, it would be extremely difficult to save the public property. I respectfully suggest that an establishment of such magnitude and value should be bounded on all sides, either by water or by a public street, so as to afford the greatest possible security against danger from fire. The present is a very favorable time for the purchase of the additional ground necessary to the attainment of this object. I recommend this subject to your consideration before any large additional expenditure shall be made for permanent improvements under the present arrangement.

*Suit for the recovery of land at Norfolk.*

A suit has been commenced, by an individual, for the recovery of eight or ten acres of land attached to the navy hospital at Norfolk. So much of that land as is unclaimed by individuals, has now growing upon it a grove of flourishing trees, which would, if properly protected, afford great comfort and refreshment to the invalids, while it would add much to the beauty of the grounds. At present, however, it is not enclosed, and consequently is subject to depredations which there are no means of preventing. These depredations will in a short time destroy the whole growth. A very small expenditure would protect it, and would be very beneficially applied to that object.

*Additional Clerks, &c.*

You will perceive that the Commissioners ask for additional clerks. Fully convinced that these are altogether necessary, I should strenuously urge the subject upon your attention but for the hope that the wants of the entire department in that respect will be provided for in the reorganization of it, which I have herein so earnestly recommended.

*Marine Barracks.*

Additional marine barracks are, required, and, if that corps should be considerably increased, will be absolutely necessary.

*Depot for the charts and nautical instruments belonging to the navy.*

Permit me to express my entire approval of the suggestion of the commissioners in relation to a suitable depot for the charts and nautical instruments belonging to the navy. These have been procured at great labor and expense, and are indispensable in the naval service. The small expenditure which will be necessary to preserve them in a condition always ready for use, is not worthy a moment's consideration when compared with the great purposes which they are designed to answer. They are a necessary part of a naval establishment worthy of the present and growing greatness of our country.

*False Economy.*

In the administration of this department, it will ever be an object of great solicitude with me to practise a prudent economy in all things. But I have not sought to save the public money, by simply declining to apply it to its most valuable public uses. Believing it to be an object of the first importance to place our navy upon the most efficient establishment, I have not expected to effect that object at any small cost. The saving which exposes the country, in a defenceless condition, to hostile attacks, will not be recommended by me. The spirit which pauses to calculate the cost of measures rendered necessary for the support of the honor and glory of our country will never, it is hoped, display itself in this department. I have felt it to be my duty to place the alternative fairly and fully before the country. An efficient navy cannot be built and supported without very great expense; but this expense is more than repaid, even in time of peace, by the services which such a navy can render. In war, it will be worth to us all the value which we place on the safety of our exposed sea-coast, on the security of millions of our people, and on the well-earned glory of our naval flag. It is enough that a necessity for this expenditure can be shown; the amount of it will be a secondary consideration with a people who truly love their country and properly value its institutions.

All which is respectfully submitted.

A. P. UPSHUR.

*Proposed Fiscal Plan. A Bill**Amendatory of the several Acts establishing the Treasury Department.*

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,* That there shall be, and hereby is, created and established in the Treasury Department at the seat of the Government of the United States, a Board, to be called the Exchequer of the United States, to be composed of the Secretary of the Treasury, for the time being, the Treasurer of the United States for the time being, and three commissioners, to be appointed by the President, with the advice and consent of the Senate; one of the said commissioners first appointed to be appointed for two years, one for four years, and one for six years, and vacancies subsequently occurring to be so filled as that one vacancy shall regularly occur at the end of every period of two years; the said commissioners not to be removed from office, except for physical inability, incompetency or neglect or violation of duty; and in case of any such removal, it shall be the duty of the President to lay the reason thereof before the Senate. And on the first organization of the Board, one of the three commissioners shall, by the members thereof, be elected President, who shall hold his office for two years, when a new election shall be made; and in like manner a new election shall take place afterwards at the end of each successive period of two years. And the Secretary of the Treasury shall have authority to appoint all such inferior officers as in the judgment of the Board the transaction of its business may require, the amount of their respective compensations to be fixed by the Board, who may take bonds for the faithful discharge of their duty for such sums and in such manner as the Secretary of the Treasury shall direct. And each of said commissioners shall receive an annual salary of ——— dollars.

Sec. 2. *And be it further enacted,* That the said Board of Exchequer shall have power to establish agencies or offices in such of the cities or towns of the States and Territories of the United States as it may judge expedient, not exceeding two in any State or Territory, and also wherever Congress may by law require the same to be established; and such officers and agents as may by the Board of Exchequer be thought necessary for the management of such agencies, and the transaction of their business, shall be appointed by the Secretary of the Treasury on the recommendation of the Board of Exchequer; and the said Board shall have power to fix the amount of the respective compensations of such officers, and to provide regulations for the government of such agencies, the transaction of their business,

and the rendering accounts of all their proceedings. And in such regulations they shall so assign and arrange the duties of the officers of the said agencies as that one of those officers shall be a check and control upon the other, and for that purpose they shall require that the accounts and proceedings of each shall be entered in proper books. And any of the officers of the said agencies may be removed by the Secretary of the Treasury for physical inability, or incompetency, or neglect or violation of duty, but it shall be his duty to state every removal of any principal officer of any agency, with his reasons therefor, in his general annual report of the transactions of the Board of Exchequer.

Sec. 3. *And be it further enacted*, That the said Exchequer and its officers shall be the general agents of the Government of the United States for receiving, safe-keeping, and disbursing the public moneys, and transferring and transmitting the same under the direction of the Secretary of the Treasury; and all public moneys received, from whatever sources, shall, under the same directions, be paid into the said Exchequer or its agencies; and the principal officers employed in such agencies shall give bonds to the United States for such amount, and in such form as the Secretary of the Treasury shall prescribe for the faithful performance of their duties. And the said Board of Exchequer and its several agencies shall pay all warrants, drafts, or orders made thereon by the Treasurer of the United States, and by all disbursing officers and agents of the Government having authority to make such drafts or orders. And every such payment shall be made, at the option of the person entitled to receive it, in gold and silver coin or in Treasury notes.

Sec. 4. *And be it further enacted*, That the said Exchequer and its officers shall perform the duties of Commissioners of Loans, in receiving subscriptions, transferring stock, and paying dividends and interest thereon, under the directions of the Secretary of the Treasury, and shall render to the Treasurer of the United States all necessary facilities for transferring and disbursing the public funds as shall be required by him, and shall perform all the duties of pension agents under the regulations prescribed by the Secretary of War, and shall render and perform all other duties and services in relation to the collecting, keeping, and disbursing of the public funds as shall be prescribed by law or by the Secretary of the Treasury.

Sec. 5. *And be it further enacted*, That it shall be lawful for the Exchequer at the Seat of Government, and its several agencies, to receive on private deposit gold or silver coin or bullion, the property of individuals, to be held as in other cases of deposits made by individuals for convenience and security; and to issue certificates of the fact of such deposit having been made; which certificates shall always be redeemed on presentation at the agency where issued. But the amount so deposited shall never exceed in the whole fifteen millions of dollars, to be distributed by the Board among its several agencies according to the extent of their business respectively; and for issuing such certificates no higher premium shall be demanded than shall be sufficient to indemnify against the hazard of loss and remunerate for the safe-keeping the deposit, and in no instance to exceed the one-half of one per cent. But paper issued by the Board and its several agencies, whether in the form of bills or of certificates of deposit, shall be redeemable only at the place where issued, unless the Board shall see cause to order otherwise.

Sec. 6. *And be it further enacted*, That it shall be the duty of the said Board of Exchequer, within three months after its first organization, to establish such by-laws and rules of proceeding as it may judge expedient and proper for the regulation of its concerns and the government of its agencies; and copies of all existing by laws and regulations shall be laid before Congress every year at its annual session.

Sec. 7. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized and directed to cause to be prepared Treasury notes of denominations not less than five dollars nor exceeding one thousand dollars, which notes shall be signed by the Treasurer of the United States and countersigned by the President of the Board of Exchequer, and made payable to the order of the principal agent at each agency, and shall be by him endorsed when issued at such

agency, and which notes shall be redeemable and shall be redeemed in gold and silver, on demand, at the agency where issued; and Treasury notes intended to be issued by the Board of Exchequer, at the Seat of Government shall be in like form, and shall be payable to the order of the Commissioners, and shall be endorsed by some one of them when issued, and shall be redeemable and redeemed, at said Board, on demand, in gold and silver, and exact and perfect lists of all notes so signed shall be kept at the Treasury; and all Treasury notes issued under the authority of this act may, when redeemed, be re-issued by the Board and its agencies respectively.

Sec. 8. *And be it further enacted*, That the amount of Treasury notes issued and outstanding shall not, at any one time, exceed the amount of fifteen millions of dollars, unless otherwise ordered or provided by law; and the Secretary of the Treasury is authorized, from time to time, on the application of the Board of Exchequer, to furnish for its own use and that of its several agencies a suitable amount of such notes, to be used in the transaction of its business; and all dues to the United States, or any officer or department thereof, may be paid in gold or silver coin, in Treasury notes issued under this act, or in the notes of banks which shall be immediately convertible into specie at the place where received.

Sec. 9. *And be it further enacted*, That the Board of Exchequer at the Seat of Government and each of its agencies shall settle weekly, or oftener, with all banks in their neighborhood whose paper they may have received, and pay or collect, as the case may be, all balances between it and said banks; and no individual shall be allowed at any time to stand as debtor to the Exchequer or any of its agencies in account; and it shall be the duty of the said Board of Exchequer, and each of its several agencies, at all times, so to limit its issues that its gold and silver on hand shall be equal to one-third the amount of such issues outstanding.

Sec. 10. *And be it further enacted*, That the said Board of Exchequer may draw bills or drafts on any of its agencies, and may authorize any agency to draw bills or drafts on the Board or any other agency, and may sell and authorize its agencies to sell such bills or drafts for a premium not exceeding the fair cost of remitting specie to the place of payment, and in no case to exceed two per centum on the amount of such bill or draft.

Sec. 11. *And be it further enacted*, That it shall be lawful for said Board of Exchequer and each of its agencies to purchase domestic bills of exchange, subject to the following rules and regulations.

1. No bill of exchange shall be bought which is payable in the same State or Territory in which it is drawn, nor any bill payable within less than ——— miles of the place of drawing.

2. Bills drawn on places not more than five hundred miles distant from the place of drawing shall not be drawn for a longer time than thirty days from date; and bills drawn on places more than five hundred miles from the place of drawing shall not be drawn for a longer time than thirty days from sight.

3. In no instance shall more be demanded from the seller of such bill, by way of interest or exchange, than an interest not exceeding six per cent. per annum for the time which the said bill has to run, and a rate of exchange never exceeding the cost of remitting specie, and in no case to exceed two per cent. And it shall not be lawful for the Board of Exchequer, or any agency, to purchase any bill drawn by or upon any member or officer thereof, or in which such member or officer shall in any way be interested; nor to receive any deposit of any money belonging to any such member or officer. And no bill shall be purchased or draft sold at any agency, without the assent of at least two of the officers of such agency; nor by the Board of Exchequer without the assent of two of its members.

Sec. 12. *And be it further enacted*, That no agency established in any State under the provisions of this act, shall, contrary to any law which such State may enact, receive any other deposits than those of the United States, or make or sell drafts, or purchase bills, other than such as shall be



necessary in the collection, transfer, and disbursement of the public funds.

Sec. 13. *And be it further enacted*, That if at any time it shall be found necessary to carry on the operations of the Exchequer Board, and its agencies hereby created, the Secretary of the Treasury may cause to be prepared, issued, and delivered to the Exchequer Board certificates of stock of the United States, in the usual form, bearing interest at a rate not exceeding five per centum per annum, to an amount not exceeding five millions of dollars, the interest of which shall be payable semi-annually, and the principal shall be redeemable at the pleasure of the Government after the expiration of twenty years from the issue thereof. And it shall be lawful for the said Exchequer Board to sell and transfer the said stock for gold or silver coin, or bullion. And it shall be the duty of the Exchequer Board to provide for the punctual payment of the interest on the said stock as it becomes due, and for the reimbursement of the principal from the profits and other means and resources of the Board and its agencies. But the faith of the Government, nevertheless, shall be pledged for the payment of the interest and the principal of such stock.

Sec. 14. *And be it further enacted*, That the Board of Exchequer and its several agencies shall keep separate and distinct sets of books, for the purpose of entering and recording in one set, all transactions respecting the collection, keeping, and disbursing of the public revenue, and transmitting the public moneys from place to place for the service of Government, and in another, all transactions and accounts arising from dealings in exchange and other transactions not on Government account. And all profits accruing from dealing in exchange on individual account and from private deposits shall be applied in the first place to pay all salaries and compensations, and to defray all expenses incurred under the authority of this act, and the residue thereof shall be placed semi-annually to the credit of the Treasurer of the United States: *Provided, nevertheless*, That the said Board may defer all such credits to the Treasurer, until the amount of profits aforesaid beyond expenses shall exceed two millions of dollars, and may retain said amount of two millions as a fund to meet all contingencies chargeable on the Exchequer and its agencies.

Sec. 15. *And be it further enacted*, That if it shall at any time become necessary to bring suit on any bill of exchange or other debt or liability arising out of any transactions under the provisions of this act, such suit may be brought in the name of the United States in any Circuit Court of the United States, or any State Court having competent jurisdiction.

Sec. 16. *And be it further enacted*, That the necessary rooms and vaults for the safe-keeping of the public moneys and the transaction of the business of the Board of Exchequer and its agencies shall be provided by the Treasury Department at the city of Washington, and in the custom-houses, mint, branch mints, and other public buildings belonging to the United States, so far as the same can be furnished without detriment to the public service; and where the same cannot be so furnished, the said Board may provide others.

Sec. 17. *And be it further enacted*, That it shall be lawful for the said Board of Exchequer to appoint an agent for the Board any specie-paying bank in any State, in cases where it may not be deemed expedient to establish an office or agency of the said Board, as hereinbefore provided; but such bank shall not be authorized in any event to receive deposits or to purchase or sell bills or drafts on account of the Board of Exchequer.

Sec. 18. *And be it further enacted*, That full and exact accounts of the proceedings of the Board and its several agencies shall be furnished to the Secretary of the Treasury as often as he may prescribe; and it shall be the duty of the said Secretary to lay abstracts of the same before Congress at the commencement of each annual session, and to furnish full and particular accounts and statements of the transactions of the Board and its agencies when required by Congress; and the amount of Treasury notes outstanding at the end of every quarter shall, so soon thereafter as the same

may be ascertained, be published by the Secretary of the Treasury.

Sec. 19. *And be it further enacted*, That if any member of the Exchequer Board, or any officer or clerk employed in its business or any of its agencies, shall convert to his own use, in any way, any money or security deposited with or belonging to the said Board or any of its agencies, or belonging to the United States, or any other person or persons dealing or depositing with the said Board or any agency, he shall be deemed guilty of felony, and, on conviction thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term not less than ——— nor more than ——— years, and to a fine equal to twice the sum or value of the property embezzled.

Sec. 20. *And be it further enacted*, That if any officer or member of the Board of Exchequer, or any of its agencies established under the provisions of this act, shall give or sign a false certificate of a deposit having been made with any agency, or shall issue or deliver any draft or bill of exchange without having received the full amount thereof, and caused the receipt of the same to be duly entered in the books of the said agency, or shall be guilty of any other malpractice by which any responsibility of the said agency, or of the Board of Exchequer, or of the United States, shall be improperly created or increased, he shall be deemed guilty of a misdemeanor, and, on conviction thereof in any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term not less than one year nor more than seven years, and to a fine equal to the amount of the false certificate so given, or of the bill or draft so issued or delivered, or to the amount of the responsibility so created or increased.

#### Report of the Secretary of the Treasury on a Fiscal Plan.

The Secretary of the Treasury, in compliance with the resolution of the House of Representatives of the 15th inst., has the honor of submitting the draught of a bill for the establishment of a Board of Exchequer at the seat of Government, with agencies in the several States and Territories.

In preparing this bill, it has been his intention to keep within, and to fill up, the general outline of the measure, as proposed in the message of the President at the opening of the session; but he does not flatter himself that it will be found so perfect in its details as not to require modifications and careful revision by the two Houses of the Legislature.

As this measure has, necessarily been for some time under the consideration of the President and his constitutional advisers, the undersigned is directed by him to accompany the bill with a general exposition of the views entertained by him, and concurred in by them, respecting it.

In what manner and under what securities the public money shall be kept; in what manner, or whether in any manner, this Government shall attempt to supply a sound paper medium for payments to the Treasury, and for the general uses of the people; in what manner, or whether in any manner, it shall attempt to benefit the general business of the country, by furnishing facilities of exchange, are questions which have not ceased to agitate the community for eight years. Upon these questions much opposition of opinion has prevailed, and ardent and intense political controversies and struggles have been founded. It is time that this state of things were brought to an end. It is time that such provisions were made for the custody of the revenue as that the people may feel that the public treasures are safe. It is time, too, that in relation to currency and exchange, individuals may know what they have to expect, or whether they may expect any thing from the measures of Government. Doubt and uncertainty in this respect constitute the worst of all conditions. They affect every man's means of living, and instead of giving encouragement, and applying a stimulus to individual exertion and effort, check the hand of industry, suppress the spirit of enterprise, and bring stagnation and paralysis upon the productive powers of the country. On subjects so vitally connected with man's personal and domestic welfare, the people have a right to require that what is to be

done, should be done without further delay, in order that they may accommodate themselves to the policy of the Government, whatever that policy may be, and be prepared to give a corresponding direction to their own industry and business. The great want of the country is the want of confidence: confidence in the steadiness and stability of the policy of the Government; confidence in that which regulates the value of property and the wages of labor; and confidence in the establishment and preservation of the necessary and ordinary means of exchanging production against production, and of buying and selling with security, so that the intercourse between different parts of the country may be carried on with its former activity and usefulness. The object of the plan suggested to Congress in the President's message, and now presented for its consideration in the form of a bill, is to establish this confidence, and to give the country tranquillity. It is designed to terminate contentions of long standing, and to restore that peace, quiet, and satisfaction with the state of public affairs, without which men cannot pursue their vocations either with cheerfulness or with success. Amidst the conflict of widely differing opinions, a measure is recommended which avoids extremes on both sides. It proposes less, far less, than many think it desirable that Government should do, or attempt to do, and at the same time far more than others are ready to recommend. It aims at a just medium, a common ground, on which those may consistently stop who might yet wish to go further, and to which they may advance without self-reproach, who would nevertheless have desired to fall short of it. It does not attempt to collect a capital by private subscription, for the general purposes of loans and discounts, and therefore does not propose to perform the ordinary functions of a bank. On the other hand, it does not propose to lock up the public moneys from the time of collection to the time of disbursement, nor to demand specie payment for every debt due to the Government; making no attempt, at the same time, to furnish the country with either currency or exchange, and entirely contenting itself with securing specie payments into the Treasury. In these respects it differs from the system established by the law, now repealed, generally called the Sub-Treasury act.

It is not intended here to discuss the respective merits of these two systems, which may be regarded as extreme opponents of each other. But it may be proper to say, in regard to a Bank of the United States, that if there were in no quarter any constitutional objection to the creation of such an institution, it would nevertheless, not have been recommended to Congress, in the present condition of things, as a measure likely to afford relief to the country. Such is the condition of the currency, in many of the States, such is the deplorable depression of general credit, produced by that condition of the currency and by other causes, and such the existing pressure in the money market, arising, as is believed in a great degree from want of confidence, that there is little probability that private subscriptions, payable in specie, would be obtained to any bank with an ordinary charter.—This opinion is strengthened by the fact, that six per cent. stocks of the United States, now in the market, go slowly and heavily into private hands; and although this is doubtless partly attributable to the short period within which those stocks are made redeemable, yet the general fact concurs with other reasons in producing a full conviction that it would be useless, at the present moment, to attempt the creation of a bank, with a capital to be furnished principally by private subscriptions, and intended to discount, through its branches, bills and notes in all parts of the country, even if constitutional objections were out of the way. And in regard to the Sub-Treasury system, it is perhaps enough to say that it is supposed a return to that system, at any time hereafter, is an event highly improbable.

Between these—a bank on the one hand, and the system of the Sub-Treasury on the other—the present plan is offered, seeking to avoid the objections which exist to each, and to accomplish, to some extent, the good designed by both.—The plan, such as it is, will be received and considered, it is not doubted, in a spirit of candor and conciliation, and with a disposition, not so much to persist in the pursuit of what may be unattainable, as to turn to the greatest practicable

advantage of the country the use of all those means the employment of which may be expected to meet the general concurrence.

The bill now submitted may be considered as having three principal objects in view:

1st. The safe keeping of the public moneys.

2d. The furnishing, as well for safe and convenient payments to the Treasury as for the use of the country, a paper circulation always equivalent to gold and silver, and of universal credit.

3d. A provision for supplying, to some extent, the means of a cheap and safe exchange in the commerce between the several States.

Of the high importance of the first of these objects, no one can entertain a doubt. The public moneys are received by Government, from the People, for the necessary uses of the country, according to the Constitution, and ought ever to be esteemed a sacred trust. They are earned by the industry of the People; and, while safely guarded, and applied only to really necessary and constitutional purposes, will be cheerfully contributed by a patriotic community. The People have a right to be as safe as good laws and a faithful administration can make them, against both waste and loss. It was the remark of the late President, striking by its brevity as well as its truth, that every dollar lost by unfaithfulness in office tends to create a new charge upon the People; and this truth cannot be kept too fully or too constantly in view.

Debts and dues accruing to the United States are paid, in the first place, into the hands of the appropriate collectors and receivers. In these hands the safety of the funds is supposed to be secured by the integrity and care of the officer, and the sufficiency of his official bonds, and by the enforcement of a strict system of frequent accounting. In the early history of the Government, and sometimes at more recent periods, when public moneys were to be used for their proper purposes, the drafts of the Treasury have been made directly on these first recipients. At other times, and when there has been a Bank of the United States in existence, the law has required that those moneys should be deposited in such bank.

By the act of June, 1836, it was provided that public moneys should be deposited in certain State banks called deposit banks; and, finally, by the Sub-Treasury act, they were to be kept by the mint and its branches, and by certain officers called receivers-general.

In all these modes of securing, or attempting to secure, the safety of the public treasures, it is obvious that the main reliance, after all, has been placed in the honesty and integrity of public officers; there being superadded, however, in the case of deposits with banks, the guaranty supposed to be afforded by their capital; and in the case of individuals, a security by the execution of official bonds, with responsible sureties. But in none of these modes, any more than in anything else which becomes the subject of human trust in human hands, could it be affirmed that the funds were absolutely secured, and safe beyond all possibility of loss or danger. Committed to the care of the deposit banks, to the skill of their officers and the pledge of their capital, we know from experience that the public money was not safe. Deposited with a Bank of the United States, although no loss ever actually happened from such deposit, we now see enough to know that there was danger, and that the safety of the public money depended upon a degree of discretion in the management of the institution, of the existence and continuance of which we had not, and could not have, perfect assurance. And, under the operation of the Sub-Treasury law, every thing resolved itself, at last, into confidence in the honesty and integrity of agents, and the sufficiency of their bonds. There were, it is true, chambers and vaults, with thick walls and strong locks; but human hands held the keys. Under that system of public custody, the same temptations existed which surround men of doubtful principles or wavering integrity in other situations of public trust; and, if the system had continued, these temptations were as likely to have shown their power over those employed under it as they have done in other cases.

It is confidently believed that the present bill contains all that is practicable, and can be useful, towards establishing a safe custody or place of keeping of the funds of Government. The system which it proposes will evidently possess some eminent advantages of safety over a bank. In banks, excessive loans, and a disposition, often prompted by their own interest, to carry their accommodations to quite unreasonable lengths, are a great source of danger. The Board of Exchequer will be free from this. It is to make no loans, and to give no accommodations. Operations in exchange, when founded in real business transactions, are usually safe in well conducted banks. Indeed, regular dealing in exchange is the safest of all banking transactions, and, in this respect, the present measure promises still greater safety than attends the same business in banks, from the strict limitations imposed on it, and the absence of all motive to run into excess. Banks, too, as we have seen, are sometimes induced to depart altogether from their proper sphere of business, and to entangle themselves with commercial speculations. But into no such speculations will the Board of Exchequer enter.

There is plainly, therefore, less danger in the system now proposed than in a bank, so far as danger arises from the manner in which the public funds may be used; while in all other respects its advantages are equal to those of the best conducted banking institutions.

It may be said that it is hazardous, in all cases, to suffer the public funds to be employed, in any degree, in exchange or other dealing. If it be admitted that this objection is not without its force, it must be acknowledged, at the same time, on the other hand, that these funds would be used, not only for purposes of exchange, but in general accommodation loans, and to a great and often dangerous extent, by any bank in which they should be deposited. But if, after all, it be regarded as possible that occasional losses may happen from dealing in exchange, with the limitations provided in the bill, it will then be for Congress to decide, whether a danger so contingent shall induce it to reject the bill, and to prefer a system which locks up from all use every dollar of the public money, from its receipt to its disbursement. As the evil of thus withholding so large a portion of the circulation from the general uses of society, by retaining it until wanted for disbursement, is manifestly a great evil, especially if the funds thus withdrawn be in the precious metals, it ought not to be suffered to exist, unless the danger from the adoption of another system be equally manifest.

A plain, practical, and important public good ought not to give way to dangers of doubtful occurrence, or likely to be slight in degree, if they should occur. Some risks must be run, whenever anything important is attempted in regard to revenue and finance, as well as in other business of life; and the true question must always be, whether the danger of loss be so clear and so great as to overbalance the evident and certain benefits. And it is to be borne in mind, also, that although the present measure has not profit to Government or augmentation of revenue for its object, yet that the operations of the Exchequer are expected to result in some amount of earnings; so that, if occasional losses should occur, such earnings may make them good.

The Board of Exchequer, it is to be presumed, will be composed of men of high character, known to the country, and possessing its confidence.

It will be their duty to superintend and watch over the conduct of those who pay out and receive money from day to day, and to demand from all such agents proper bonds, with responsible sureties; and it will be their duty, also, to prescribe and enforce a system of regular and prompt accounting, which shall know neither indulgence nor delay. At the principal Board, and at each agency, the business of every day may be closed, and each subordinate officer called on to account for his receipts, before the day itself closes.—Over this Board the Secretary of the Treasury will exercise a superintending power, by the right of calling for all accounts, general and particular, as often as he pleases. And, finally, the absolute authority of Congress will exist over the whole. Congress will have created no corporation; it will have conferred no privileges or benefits, except on the pub-

lic; it will have granted no vested rights to individuals; it will have parted with no portion of its own power; but its authority will remain to amend, to supervise throughout, or to abolish altogether the system, at all times, according to its own pleasure.

If entire trust may not be reposed in an institution thus guarded, it can only be because human beings can never be the objects of absolute confidence, nor human skill always adequate to the accomplishment of its objects.

Nor is the plan justly liable to the objection, that it creates a union of the purse and the sword, by giving to the Executive the custody or control of the public money. Far otherwise. The President cannot touch a dollar of the public money, by his own authority, nor change its custody.—The Secretary of the Treasury cannot touch a dollar, nor change its custody, except to meet the occasions of the public service, and by a public official act. Whoever shall come to the Exchequer for money, must show the law of Congress under which he comes; and no payment can be made but in compliance with such law. Until appropriations are made by law, the President will have no more authority than any other individual in the country to take a farthing from the Exchequer.

The purse, then, is effectually severed from the sword; the Executive power is confined to its proper functions of executing the laws of Congress, and discharging its other high constitutional duties; and the public funds will be in their proper place, entirely beyond his reach or control, until Congress shall appropriate them to their destined purposes. From that time they will go into the hands of disbursing agents, as the public service may require, protected still by official responsibility and adequate bonds, and still beyond any interference by the Executive power. In the Exchequer, therefore, the public treasures will be safe—safe against the usual causes of loss and danger, and safe from Executive control.

But the Exchequer is expected to do more than merely to keep safely the public money.

Its second object is to furnish a sound paper circulation, in which debts to the Government may be paid, and which may also be useful to the commerce and general business of the country. The first of these functions is purely fiscal; and the instrumentality of such a paper medium, in certain exigencies of the country, may become indispensable to the exercise of the highest duties of Government.

In so reasoning upon this subject, as to come to any practical conclusions, it is necessary to consider some things as settled and certain. Among these, one of primary importance is, that a paper circulation exists in the country, and that there is not the least probability of its ceasing to exist. The States possess the power of creating banks of circulation; they exercise this power; many of them derive not unimportant revenues from its exercise, and some of them even have established banks, of which they are themselves proprietors. No man can reasonably expect to see the day when they will relinquish this power, or refrain from its exercise.

In the next place, experience has confirmed the truth, beyond the possibility of doubt or question, that paper of State banks cannot be of universal circulation and credit; there never has been, and there is not now, any one State bank whose notes pass readily from hand to hand, as equivalent to specie, over all parts of the country. Many of these local institutions are perfectly sound, are well administered, and their credit in their own neighborhood entirely good and unquestioned. But, from the very nature of things, their credit is and must be local only. It can never be universal. The People are acquainted with the institutions of their own respective States, and generally understand the ground of the claims of such institutions to confidence and respect. They pay attention also to whatever is established by the General Government, because they have an interest in the laws which it passes. But the People, that is to say, the great mass of productive earners of one State, cannot, generally speaking, be acquainted with the moneyed institutions of other and distant States. In most cases, they do not even know such institutions by name. How,

then, can they give them their confidence? We see they do not give it, even where it might be most safely bestowed. They prefer the paper of their own banks, though they know it to be depreciated, to the paper of other banks, because they have confidence in the institutions of their own State, and because they know the amount of depreciation on the paper of such banks, whereas of the value of a note of a distant bank they are wholly ignorant. But this knowledge, which the great mass of the community does not possess, brokers and money dealers do, and they use it skillfully to their own advantage. A farmer of Virginia will hesitate to receive in payment a New York note. He will prefer Virginia paper, although he knows it is not equivalent to specie, because he can form some opinion of its value, while of the New York note he knows nothing. But the holder of the New York note, at the same time, is able to dispose of it at the first broker's office at a large premium.

Every man in the habit of observing what passes around him, must see every day the existence of this state of things; and its inevitable consequence is, to throw the loss of depreciation on the laborious and productive classes. Wherever bad paper circulates, it is the industrious and hard-working who suffer first, and suffer longest, and suffer most. But it is not intended to pursue this part of the subject further than to illustrate and confirm the truth, that no State bank, founded on whatever capital, administered by whatever degree of fidelity and skill, can obtain that familiar character, and that established and well-known credit, which shall give its bills circulation through all classes, in any amounts, and in all parts of the country.

Now, another most important truth, equally well settled by experience, is, that paper issued for circulation, under the authority or with the sanction of the Government of the United States, does acquire and retain this advantage of known and unquestioned character and universal confidence. No matter whether the note or bill present itself in Maryland or Missouri, Maine or Georgia, if it promise payment in specie, on demand, and that promise be supposed to be guaranteed by the character and credit of the Government, it springs immediately to a value equivalent to specie. The impress of the National Government, connected with the fact of its immediate convertibility, stamps the paper with a mark of perfect and universal reliance, because all the People, in all the States, are alike interested in the General Government, alike acquainted with its proceedings, and have like faith in paper to which it gives its sanction. We seem to be called upon, therefore, to act on this subject with three important truths made clear before us: first, that a paper circulation will continue among us; second, that no paper circulation of universal credit can ever be furnished by State banks; third, that such a paper can be furnished under the authority of the Government of the United States.

It is under the influence of these realities that it is now proposed to issue, to some extent, a paper currency, according to the provisions of this bill. Its uses are expected to be two-fold. In the first place, as already stated, it will furnish a safe paper medium, in which payments may be made to Government of all debts and taxes. Few persons, perhaps, are sufficiently impressed with what would be the value of this, in certain emergencies.

Debts to Government are now to be paid in specie, or the notes of specie-paying banks. Let us suppose that some exigency should come suddenly upon the country, requiring the immediate assessment of heavy taxes, and that the same exigency should compel all the State banks to suspend specie payments. In such a posture of affairs how could taxes be paid? Of specie there would be little to be had; of the bills of specie-paying banks, none. Government would be driven by absolute necessity to the use of paper resting on its own credit, and created for the occasion. It would have no other resource. All must see how vastly useful the system now proposed would be upon the happening of such an emergency. The Exchequer would be found in operation, and in possession of a certain quantity of specie; its notes would have become familiar to the public; it would have, in addition to its specie and its own es-

tablished character, the amount of revenue, whatever that amount might be, to sustain its circulation. It would furnish notes for disbursement, and receive them for taxes. With these means, and by faithful and skilful management, though it might be embarrassed by the prostration of other institutions around it, it would still retain its own credit; and that credit would be a vivifying and fructifying germ amidst general blight and barrenness.

But this part of the bill has another purpose equally or still more important. The measure is intended for the People as well as for the Government. The issue of Treasury notes always redeemable in gold or silver, and the use of them in payments from the Treasury and in the purchase of exchange, cannot but be beneficial, it is conceived, in a high degree, to the whole commerce and all the business concerns of the country.

In this part of its operation, the system presents itself as beneficent and productive of essential good. It seeks not Government emolument or Government convenience only, but the public good, the good of the People, in the largest and most comprehensive sense. Its effect is to give to the People, to their labor, and their internal trade, the activity of funds which would otherwise be locked up; and to give them, at the same time, good money. It employs those funds to sustain credit, to supply a sound currency, and to favor useful intercourse between the States. And it does this without assuming undelegated powers, without alarming the jealousy or wounding the pride of the States.

Yet it cannot with any justice or propriety be called a Government bank. The essential elements of a bank are still wanting to it. Government seeks not to fill its own coffers by discounts, or to make gains by the use of its own credit, or to make the issues of the Exchequer a substitute for revenues in order to meet its own necessities. Nor does it propose to inflict on the People the evils and the scourge of an irredeemable Government paper, because no paper is to be issued which is not payable in gold or silver on demand—all paper thus resting on the double basis of immediate convertibility and the public faith. It is not easy to conceive how any paper intended for circulation could be more safe or more useful for the purposes of commerce; and it is believed that it is just such a paper as the wants of the country now loudly demand.

The extent to which this paper may be issued and circulated is, it must be confessed, in some degree uncertain. This must depend on the amount of revenues collected and disbursed, and on the degree of success which may attend the operations provided for in another part of the bill. But whether the circulation of the notes of the Exchequer be larger or smaller, it must, so far as that circulation shall extend, be favorable to all interests. It cannot but conduce to the public welfare that there should be, in every part of the country, some one institution, or some one agency, which shall be of undoubted credit; and whose issues, be they great or small, shall be equivalent to coin.

If the circulation of the notes of the Exchequer from hand to hand, in the common business of life, should be found to be small, that fact will arise from one or the other of two causes, or from the combined effect of both. If the amount issued should be small, then of course it can only fill the channels of circulation to a limited extent. And while the paper of the State banks shall continue depreciated and yet remain in circulation, Treasury notes, it is highly probable, will often be taken out of the general circulation and used for the purpose of remittance. This limited circulation in such a case would arise from their superior value in comparison with the value of other paper. It would not be owing to want of confidence in them, but to their possessing the highest degree of confidence.

But if such use of Treasury notes should take place, and should diminish the amount circulated in daily transactions from hand to hand, yet that use itself would confer a general benefit of great importance, inasmuch as all such remittances perform the office of furnishing safe and cheap exchange, and co-operate directly with the results hoped to be produced by another provision of the bill. But if the exchequer and its agencies be allowed to deal in exchange, this use of its notes.



although it might exist to some extent, would be far less considerable.

Among possible objections to the issue of redeemable Treasury notes, one may be, that they will be returned on the Exchequer for specie for exportation.

States and companies, it is known, owe heavy debts in Europe, and these States and companies it may be fancied will obtain Treasury notes, harass the Treasury by demands for specie, and send the specie thus obtained abroad in discharge of their own obligations. A few words may dispel such imaginations.

In the first place, the argument, if it prove anything, proves too much; for it proves that for the same reason all specie-paying banks ought to cease specie payments. But the truth probably is, that these States and companies find less difficulty in lighting on some convenient mode of remittance than on commanding at the present moment the means of making remittances in any form. The general depression, with the co-operation doubtless of other causes, has suspended the power of obtaining such means. We must continue to hope that, under a better state of things and in better times, this power will revive, and when it shall, we must look to our crops, to our freights, and to the general earnings of our industry, to enable us to meet the claims of creditors abroad. In the meantime, since neither States nor companies can obtain loans of Treasury notes, nor otherwise possess themselves of them than by buying and paying for them, we need not distress ourselves with apprehensions of runs on the Exchequer from that quarter.

It remains to say something upon that part of the bill which authorizes the Exchequer and its agencies to buy and sell domestic exchange, under certain limitations and restrictions.

That an institution founded on a more extensive plan, with a larger moneyed capital, which should deal in exchanges on a broad scale, buying bills at long dates, or accepting bills on security, in order to enable drawers to anticipate their means, and thus afford capital and credit, as well as exchange, strictly speaking, might, but for the dangers attending it, produce more benefit than that now proposed, may be safely admitted. But such a scheme involves the idea of making loans and advances, of venturing largely on the strength of personal security, and entering in no small degree into the hazards of commerce. No such purpose is intended by presenting the present bill to the consideration of Congress. On the contrary, the utmost concern has been felt to guard the proposed measure against all tendencies to such a system of exchange operations.

In all its purposes, it looks to currency and to exchange, not to lending or to discount. And it may well be a matter of serious consideration, whether such large powers of discount can be safely lodged in private institutions, with the power of making such discounts by the use of their own notes.

The supervision and regulation of currency belonging to Government; the business of commerce and the borrowing and lending of money to individuals. And perhaps no conviction is more rapidly taking possession of the mind of enlightened men, than that Government should not commit the high and important function of superintending and regulating the currency of a country to the hands of those whose occupation consists in making loans and discounts, whether on promissory notes or bills on time. Whenever a bank makes a loan, or a discount, by the issue of its bills, it adds so much to the circulating medium of the country; and, in the absence of all other regulation or restraint, several hundred banks, whose palpable interest it is to increase the amount of circulation, are to decide, each in the exercise of its own discretion, to what extent that augmentation shall be carried. That to such a system there must be some check, or that, in the absence of all such check, the emission of paper will be continually tending to excess, must be manifest to every reflecting mind. It is not proposed to enter fully into this subject at present; but as it has already in other countries, so it must necessarily ere long in this, command the most serious attention of Government.

It is hoped that the measure now proposed to Congress will have some effect, at least, in counteracting the tendency to excess in bank issues. While it may not accomplish all that is to be desired, it is believed it will effect something. To the extent of its means employed, its operations will be calculated to restrain issues and to correct excesses; because, in the first place, every accession of good currency to the general mass, tends either to render the bad worthless, so that in time it shall all give way to a better, or to compel those who issue such bad currency to raise its value by preparing for its redemption. If good currency could be put into circulation in such quantity as to meet the uses of the country, it must of course expel the bad, or bring about a change of its character; although it is equally true that, while the great mass be bad, and while it yet circulates, not having become entirely worthless, it is difficult for a small amount of good currency to share in the general circulation, since it is liable to be selected from the mass for purposes which that mass will not answer. And, in the second place, the Exchequer will act beneficially in this respect, by holding all State banks with which it may have dealings to a punctual performance of their obligations and bringing them to an immediate settlement for such of their bills as may find their way into it, or into any of its agencies.

It is not intended to say that the proposed measure will of itself be able to arrest the progress of the great evil of excessive bank issues, or that Government may not be obliged, hereafter, to adopt other measures. On the contrary, as already suggested, it is apprehended that these evils may yet imperatively call for other remedies. But it is believed that it will have a considerable effect, should its operations be as successful as is anticipated, in checking and limiting what it may not be able entirely to suppress.

But there is another very important consideration connected with this part of the subject. One great object of the whole measure is to furnish a sound currency, in the form of Treasury notes, redeemable on demand in specie. These notes can get into circulation, and be kept in it, only in two ways: first, by payment in such notes of debts and demands on the Treasury; and, second, by buying domestic exchange. And it is the last of these modes which is most confidently looked to as furnishing an active and continual circulation of this paper. When issued in Government payments, at distant points, the general tendency of the notes will be from those points to the great Atlantic cities, according to the course of trade; thus leaving the place of their first issue without the benefits of their circulation. But it is evident that if the agencies at those distant points shall be authorized to purchase bills of exchange, a new source for the issue of sound circulating paper will be opened, and the exchange thus bought would be remitted, wherever the demands of trade should call for it.

In a country of such varied productions as the United States, some parts being highly commercial, others manufacturing, and others yielding vast amounts in raw material, the current and course of exchange has periodical changes. It flows one way or the other, or in the same way with more or less force, according to the seasons. Nor is this course always direct, but on the contrary often circuitous, winding itself through several distant markets. Commodities in many parts of the west seek a sale in the south, not expecting payment in southern products, but in means available in the north and the east. This happy diversity of products, and these useful ramifications of internal trade, demand imperatively not only a currency satisfactory to all, but the means also of easy, cheap, and safe dealing in exchange. And these two objects assist each other. A good currency enables him who needs exchange to buy it, and he who has exchange to sell, to sell it. Good currency and safe exchange being thus mutually convertible and acting together, all under proper limits and securities, form the most perfect system of paper circulation. The power to deal in exchange seems essential, indeed to any considerable circulation of Treasury notes in the south and west. And it may be added, that nothing would tend more to counteract the concentration of moneyed affairs, at one or a few points, than the ability of buying domestic exchange with good paper, redeem-

able at the place of purchase. Commercial transactions, and the consummation or pecuniary engagements, naturally concentrate themselves in places where the currency is good. There is no remedy against this concentration so sovereign as the supplying of a good currency everywhere.

A safe system of exchange, though no more extensive than is contemplated by this bill, will be of great use to the commerce of the country in other respects, besides furnishing the means of keeping a good currency in circulation. The more direct advantages flowing from it are not inconsiderable. Although its object be not to supply capital or credit for purposes of trade, or to make advances, and although the whole system is limited to exchanges, strictly, yet it cannot fail to afford very important facilities, and to be productive of much general benefit.

The power or faculty of reaching to funds already accumulated in a distant part of the country, and of bringing them home immediately, and without loss, is a power or faculty of no mean importance, in the hands of those whose business leads them to form commercial connexions in such distant parts. This power or faculty the measure under consideration proposes to confer impartially on all, to the extent of its means. And its capacity for good, in this respect, is confidently left to the judgment of those whose practical experience has rendered them most competent to decide.

As to any dangerous consequences from untoward influences in buying or selling exchanges, it is to be again observed that the Exchequer can lend money to nobody; it can furnish capital to no one to begin, carry on, or uphold his business; it only seeks to enable any one to place his funds where he needs them; and this, as it will be seen, is to be done under such restrictions as that all idea of accommodation, and therefore all idea of partiality or favor to individuals, is effectually repelled. All real borrowing and lending is excluded, and bills are to be taken on such time only as is necessary for ordinary notice, and the usual transmission of intelligence.

Over operations, begun and completed in so short a time, and which are to be carried on in the face of the commercial community—operations which allow so little of favor or accommodation to any—it is not likely that unjust or partial local influences, far less likely that any pernicious central influences, will exercise control.

It may be objected to all dealing in exchanges, that parties on bills will become debtors to Government; that in case of any general pressure they will petition for relief, and thus embarrass Government, as well by neglect of punctuality of payment as by importunity for indulgence. It is readily admitted that the delicate relation of debtor and creditor should be avoided, as far as may be, between Government and the people. But in many cases it must exist. The imposition of every tax creates that relation; every custom-house bond creates it and it is found in many other forms. But a better answer to this objection is, that the credit, so far as any may arise under the operations of this bill, will be a commercial credit, of all others the most unlikely to be violated—of a few days continuance only existing between the Government and each individual, by himself, out of which no common cause, no common interest in delay, no common importunity for relief, can well arise.

As the great object of the whole measure is to put an end to controversies, and give repose, it is left to the States to prohibit the practice of private deposits and dealings in exchange within their respective limits, if any of them shall so see fit. Of such prohibition, no apprehension is entertained, yet the less scruple has been felt in recommending the provision, as it may avoid difficulties, by manifesting a disposition neither to tread on any questionable ground, nor to give rise to unnecessary differences of opinion.

The plan will present itself to all the States and all the people. It proposes general benefit to all; and no fear is entertained lest either the States or the people should examine it with too close a scrutiny.

The section which authorizes the Secretary of the Treasury to issue, if found necessary, five millions of stocks, is designed as a provision against contingencies incident to the fluctuations of trade. In an agent of Government, such as

is now proposed to be created, it is proper that there should exist every security for the maintenance of its credits. Misfortunes may fall on private institutions, in the revulsions of commerce and business, and they may be compelled to stop payment; but whatever is identified with the character of Government should be placed on the safest possible foundations. As the means of the country are most ample, its credit high, and the burdens of the people light, there is wisdom in giving to the Exchequer the power of immediate resort, in case of necessity, to the unstained and unquestionable faith of the nation. There should be no hesitation, no scruple, no lingering doubt, about the ability of the institution now proposed to be established, to fulfil with punctuality all its engagements, under any occurrences, not of force, to disturb the Government itself.

Such are the general views of the important measure which now invites the consideration of the Legislature.

The extremes of public sentiment on the subjects embraced in this bill, are embodied in the system of the Sub-Treasury on the one hand, and in a Bank of the United States on the other. The great problem now propounded to practical statesmanship is, whether repose and reconciliation of opinion can be attained, whether an end can be put to distressing doubts and exasperated controversies, touching the policy of the Government, by the adoption of an intermediate system; a system exercising no ungranted power, establishing no monopoly, bestowing no indefeasible rights, attempting no divorce of the Government from the people; but, on the other hand, converting the most austere, though the most indispensable and plainly constitutional duty of the Government, the collection of the taxes, into the very means of sustaining the industry, interchanging the commodities, and increasing the gains of those by whom taxes are paid.

This intermediate position, the plan struck out in the President's Message proposes to occupy. On the one hand, it performs one grand function which the Sub-Treasury could not and did not seek to perform.

It asserts and recognizes the constitutional duty of cherishing and sustaining the commerce between the States, by all proper and constitutional means, and turns away from nothing within the limits of the Constitution which may support general credit.

It admits the impolicy and impracticability, without violence to the business of life, of coercing an entire substitution of the precious metals for that convertible currency which has come to occupy their place.

But, on the other hand, it is not a corporation; it alarms nobody by the assertion of power to enter the States, to engross local business, or grasp at local gains, exempt from liability to local burdens.

If a measure may ever be accomplished, as the good sense, the fraternal sentiments, and the business necessities of the American people must lead them ardently to desire, by which existing elements of discord shall be withdrawn from national politics, and the country be suffered to enjoy tranquillity in things nearly affecting men's daily labor and daily bread, it is confidently believed that it may be matured, by the wisdom of the Legislature, out of the general provisions of the bill now submitted to its consideration.

W. FORWARD,

*Secretary of the Treasury.*

#### Sale of the Warren Cotton Factory.

This well-known Factory, which cost considerably over \$100,000 only a few years since, was sold under a mortgage, by auction, on the premises, on the 15th inst. for the sum of \$50,814, being \$20 over the amount which the mortgagee claimed. The American Cotton Factory Company was the purchaser.

The Warren Factory is situated on the Great Gunpowder river, near the Susquehanna Railroad and York Turnpike, and about fourteen miles from this city. The Factory which was in complete operation, sold with its charter. It was built of stone in 1836, was 5 stories high, 126 feet front by 44 deep. As this property has claim to much notoriety,

from its location and many conveniences, and to give the reader an idea of the value of such property at present, we are rather more than usually particular in its description. The first floor is occupied as a machine shop, and contains 3 racks and 2 hand lathes, a cutting engine, circular saw, spreading machine, carpenter's and vise benches and vices, a force pump for supplying the dressing and other rooms, with water, together with a full supply of necessary tools. The 2d floor is occupied as a card room and contains 14 breaker cards, with a railroad and lapping machine in front of them; 15 finishers with packers in front; 5 drawing frames, 5 speeders and all the necessary apparatus pertaining to a card room. 3d floor contains 2772 spindles, nearly all of the latest improved construction, 5 warping frames, reels and the tools belonging to a throstle spinning room. 4th floor is the weaving room and contains 66 looms nearly all on the plan with the Lowell mills, together with the tools necessary for a loom shop, in full operation. 5th story contains 4 dressing frames and machinery for making the sizing with a quantity of old machinery not in use. The picking house is built of stone and slate-roofed, is on a level with the first floor, and contains a picker, spreader and willow.—Also a flour mill built of stone, and running two pair of stones. The machinery and house nearly new and in good order. Also a mill and machine shop. Good substantial stone dwelling-houses capable of accommodating comfortably 116 families. Two large and beautiful dwellings erected by former proprietors as country residences, with all necessary out houses for comfort and convenience. And a neat stone church capable of holding 2 a 300 persons. The Farm pertaining to the property contains about 230 acres of limestone land, and is susceptible of cultivation and great yield. The water power, that of the Great Gunpowder, which has never failed, is equal at all seasons to drive about 10,000 spindles. The dam and race underwent last summer a thorough repair. The situation is unrivalled for health.

[*Lyford's (Baltimore) Price Current.*]

#### Steam Navigation with the Upper Lake.

A new steam vessel called the *Vandalia*, owned and built at Oswego, New York, has recently made an experimental trip from that place to the Niagara river and Burlington Bay. She is of the largest size of lake craft which can pass the Welland Canal, and is furnished with a steam engine and propellers according to the Ericsson patent. The Oswego Palladium says, the successful result of this experiment we consider the most important event in relation to the interests of this port and the trade of Lake Ontario, which has occurred since the completion of the Welland Canal. The great desideratum of a steam communication with the Upper Lakes is now assured to us. As the Welland Canal now is, our forwarders can compete for the Western trade at a great advantage over the inland route. When its enlargement is completed, and steam vessels of 250 tons can trade between the Upper and Lower Lakes, we cannot comprehend how the inland route is to compete with the hundred and twenty five miles of free navigation on the Ontario route.

#### Assessment of City Property.

The Assessors, appointed under a law of the State of Maryland, to assess the property of Baltimore for the purpose of raising a direct tax to meet the liabilities of the State, having made their returns; and the time having expired for the correction of errors where parties interested had objections to urge; the Board have at length reported the following, as the true value: [The assessment was made before the 13th and 14th additional Wards of the city were laid off]—

Wards.—1....\$ 2,237,560	Wards.—8....\$3,333,878
2.... 1,773,470	9.... 9,632,208
3. . . 1,378,711	10.... 5,599,335
4.... 2,029,796	11.... 5,770,682
5.... 3,577,365	12.... 4,673,651
6.... 10,655,686	
7.... 16,708,670	
	Total \$68,170,612

[*Lyford's Price Current.*]

#### Health of Swamps in N. C.

Persons living in this section of the State, and higher up, have a dreadful idea of the unhealthiness of the Swamps, in the lower part of North Carolina, and would as soon think of entering a charnel-house, as of exposing themselves to their influence during the Summer and Fall months. And yet, it is an indisputable fact, that however unhealthy some portions of our State are at certain seasons, sickness rarely, if ever, occurs among the hands at work in the Swamps.—There have been employed at one time, in the State's service, to say nothing of private enterprizes, several hundred laborers, who are necessarily exposed to all kinds of weather, and are always in more or less water, and yet scarcely a case of sickness has ever occurred among them. On the contrary, they look sleek, fat and healthy.

There resides at Alligator Lake, almost immediately on the water's edge, a gentleman by the name of Dunbar. He has lived there in patriarchal simplicity, for 42 years. His family, (all white,) consists of 52 persons, including children and grand-children. The only instance of sickness which has ever occurred in the family, was a case of whooping-cough!

These are singular facts for the speculation of the curious, but no less singular than true.—*Ruleigh Register.*

#### Large Trees.

On portions of the timbered land, near Lake Pungo, in Hyde, belonging to the State, the trees are of almost incredible size; and it is not to be wondered at, standing as they have done for centuries undisturbed, and embedded in a soil of surpassing fertility. A cypress was recently found there, measuring 38½ feet in circumference, which gives a diameter of about 13 feet! Only think of a tree large enough for a horse stable, with room enough inside of it, to admit of two carriages passing abreast of each other!

We were assured too, by a very respectable gentleman, that 1½ bushels of corn were raised by a neighbor of his in the hollow of a cypress stump!—*Ruleigh Register.*

Owing to the length of the different reports in the present number, we are compelled to defer the annual report of the Secretary of the Treasury, till the next.

The index for the present volume will accompany the first or second number of the next volume.

We respectfully invite subscriptions to the Register, the commencement of a new volume being favorable for the purpose. The preceding volumes of the work may be had bound.

Our comparative views of the census, and we hope, the census of the several States and their productions, as well as the various interesting documents which will probably issue from Congress during their present important session, will furnish abundant materials for a volume valuable for reference—many of which will be inserted.

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